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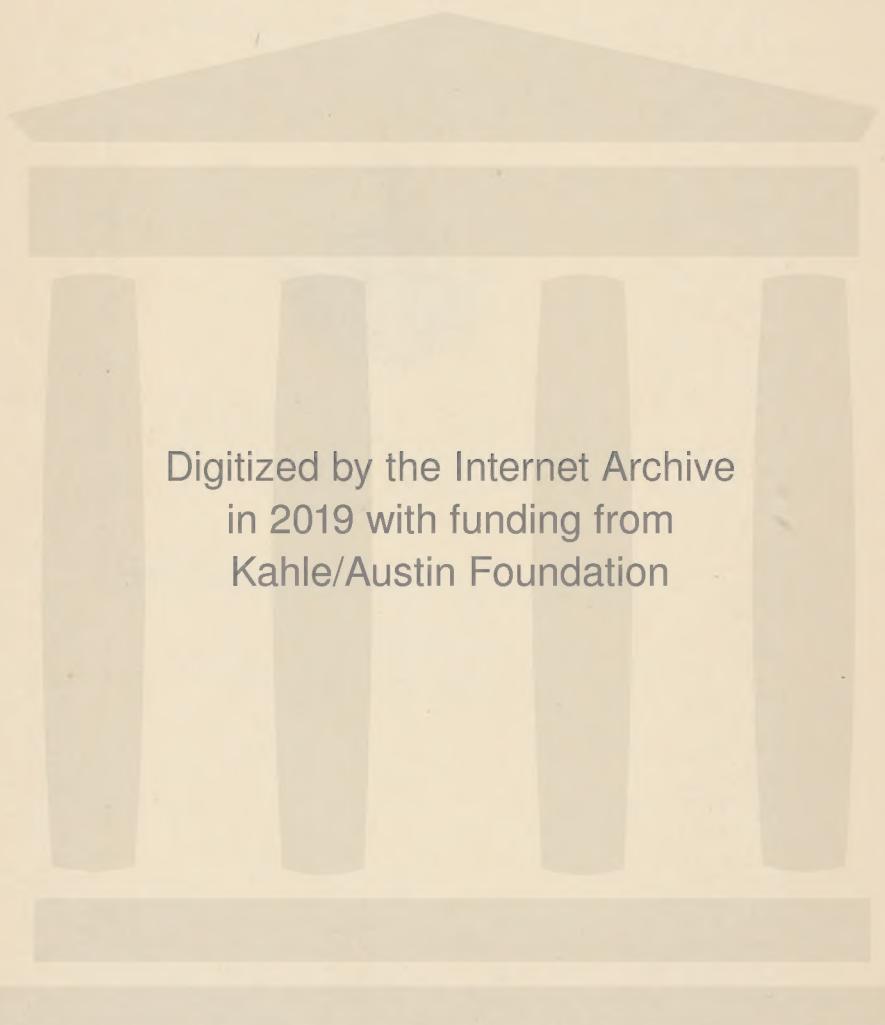
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**DOCUMENTS ON  
INTERNATIONAL AFFAIRS  
1928**



# DOCUMENTS ON INTERNATIONAL AFFAIRS 1928

EDITED BY  
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*Hon. Secretary, Information Service on  
International Affairs*

WITH AN INTRODUCTION BY  
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## INTRODUCTION

I HAVE no hesitation in recommending this *Volume of Documents* to all students of international affairs. It has been prepared by Mr. J. W. Wheeler-Bennett, Honorary Information Secretary of the Royal Institute of International Affairs, to accompany and supplement the annual *Survey of International Affairs* produced by Professor Arnold J. Toynbee.

Its value as a work of reference can hardly be overestimated, for it gives in a compact and handy form all the more important pronouncements, verbal and written, which have appeared during the twelve months under review. No comparable collection is to be found elsewhere. I feel confident that its special merit will meet with immediate recognition.

NEILL MALCOLM,

*Major-General,*

*Chairman of the Council,*

*Royal Institute of International Affairs.*

CHATHAM HOUSE,  
ST. JAMES'S SQUARE,  
LONDON, S.W. 1.



## PREFACE

THE objects of an annual volume of *Documents on International Affairs* are twofold; first, to form a supplement to the *Survey* for each year, and, secondly, to provide an easy form of reference to the more important speeches, treaties, and other documents of the year.

Bearing in mind the fact that most international agreements are registered with the League of Nations, and hence find their way sooner or later into the *Treaty Series* published by the Secretariat at Geneva, the editor of the present volume has included only what seemed to be the more important treaties of the year, and has concentrated rather upon collecting the statements on foreign affairs made by premiers and foreign ministers before their respective parliaments, and also such documents of importance as the law governing the Fascist Grand Council, and the Organic Law of the National Government of China.

The nature of such a work must clearly be selective, and, in the case of the present volume, experimental, and dictates of space have necessitated the omission of many interesting documents. It is, however, hoped that in future years the number of pages allotted to the volume may be increased, though always the supply of material will outrun even the most generous allowance.

The editor wishes to express his very sincere thanks for the invaluable advice and guidance which he has received throughout so generously from the late Sir James Headlam-Morley and Professor Arnold Toynbee, Chairman of the Publications Committee and Director of Studies, respectively, of the Royal Institute of International Affairs. He is greatly indebted to Miss V. M. Boulter, Assistant to the Director of Studies, and to Mr. Stephen A. Heald, Assistant to the Hon. Information Secretary, for the help that they have given him in the preparation of the volume; also to Mrs. Ronald Baker, formerly of the Foreign Office Library and now of the staff of the Informa-

## PREFACE

tion Service on International Affairs, for her assistance in the reading of the proofs.

The gratitude of the editor is also due to the International Intermediary Institute at the Hague, and to the Reference Service on International Affairs of the American Library in Paris, for the friendly co-operation which they have shown in procuring documents from abroad. On the *European Economic and Political Survey*, the valuable publication of the latter organization, the editor has drawn frequently and extensively for English translations.

JOHN W. WHEELER-BENNETT.

GARSINGTON MANOR,  
NEAR OXFORD.

November 1929.

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NOTE.—Except where other specific reference is given, translations have been taken from *European Economic and Political Survey*, published by the Reference Service on International Affairs, 10 rue de l'Elysée, Paris (viii<sup>e</sup>me).



## A. GENERAL

### I. THE KELLOGG PACT

#### 1. TEXT OF THE PACT<sup>1</sup>

THE President of the United States of America, the President of the French Republic, His Majesty the King of the Belgians, the President of the Czechoslovak Republic, His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, the President of the German Reich, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland;

Deeply sensible of their solemn duty to promote the welfare of mankind; persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made, to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavour and, by adhering to the present Treaty as soon as it comes into force, bring their peoples within the scope of its beneficent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a treaty, and for that purpose have appointed as their respective plenipotentiaries: . . . Who, having communicated to one another their full powers, found in good and due form, have agreed upon the following articles:

#### Article I

The High Contracting Parties solemnly declare, in the names of their respective peoples, that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another.

<sup>1</sup> Official text as issued by the United States Department of State and the French Ministry of Foreign Affairs. See also British White Paper, Cmd. 3410, Treaty Series No. 29 (1929),

## GENERAL

## Article II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

## Article III

The present Treaty shall be ratified by the High Contracting Parties named in the preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington, and the Treaty shall, immediately upon such deposit, become effective as between the Power thus adhering and the other Powers parties thereto.

It shall be the duty of the Government of the U.S.A. to furnish each Government named in the preamble, and every Government subsequently adhering to this Treaty, with a certified copy of the Treaty, and of every instrument of ratification or adherence. It shall also be the duty of the Government of the U.S.A. telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective plenipotentiaries have signed this Treaty in the French and English languages, both texts having equal force, and hereunto affixed their seals.

Done at Paris, the twenty-seventh day of August, in the Year of Our Lord one thousand nine hundred and twenty-eight.

NOTE.—This treaty was, *mutatis mutandis*, identical with the draft bi-lateral treaty proposed by M. Briand to Mr. Kellogg on June 20, 1927.

## 2. THE FRENCH RESERVATIONS

In the course of the negotiations the French Government made four reservations to the U.S. proposal for a multilateral treaty as follows:

- (1) That all countries should adhere to the treaty, and that the treaty should not become effective until universal adherence is given, unless some special agreement is entered into waiving certain abstentions.
- (2) That each country should retain the right of legitimate defence.
- (3) That in case one country should violate its pledge not to engage in war, all others would automatically be released.

(4) That the treaty should not interfere in any way with the previous obligations of France under the League of Nations, the Locarno Agreements, or her neutrality treaties.

In a speech before the American International Law Association at Washington on April 29, 1928, Mr. Kellogg answered these reservations as follows:

#### One: Self-Defence.<sup>1</sup>

There is nothing in the American draft of an anti-war treaty which restricts or impairs in any way the right of self-defence. That right is inherent in every sovereign State and is implicit in every treaty. Every nation is free at all times and regardless of treaty provisions to defend its territories from attack or invasion and it alone is competent to decide whether circumstances require recourse to war in self-defence. If it has a good case, the world will applaud and not condemn its action. Express recognition by treaty of this inalienable right, however, gives rise to the same difficulty encountered in any effort to define aggression. It is the identical question approached from the other side. In this respect, no treaty provision can add to the natural right of self-defence. It is not in the interest of peace that a treaty should stipulate a juristic conception of self-defence, since it is far too easy for the unscrupulous to mould events to accord with an agreed definition.

#### Two: The League Covenant.

The Covenant imposes no affirmative primary obligation to go to war. The obligation, if any, is secondary, and attaches only when deliberately accepted by a State. Article Ten of the Covenant has, for example, been interpreted, by a resolution submitted to the Fourth Assembly, but not formally adopted owing to one adverse vote, to mean that: 'It is for the constitutional authorities of each member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of the members, in what degree the member is bound to assure the execution of this obligation by employment of its military forces.'

There is, in my opinion, no necessary inconsistency between the Covenant and the idea of an unqualified renunciation of war. The Covenant can, it is true, be construed as authorizing war in certain circumstances, but it is an authorization and not a positive requirement.

#### Three: The Treaties of Locarno.

If the parties to the Treaties of Locarno are under any positive obligation to go to war, such obligation certainly would not attach

<sup>1</sup> British White Paper, Cmd. 3153, pp. 2-5.

## GENERAL

until one of the parties has resorted to war in violation of its solemn pledges thereunder. It is therefore obvious that, if all the parties to the Locarno treaties become parties to the multi-lateral anti-war treaty proposed by the United States, there would be a double assurance that the Locarno Treaties would not be violated by recourse to arms. In such an event it would follow that resort to war by any State, in violation of the Locarno Treaties, would also be a breach of the multi-lateral anti-war treaty, and the other parties to the anti-war treaty would thus, as a matter of law, be automatically released from their obligations thereunder and free to fulfil their Locarno commitments. The United States is entirely willing that all parties to the Locarno Treaties should become parties to its proposed anti-war treaty, either through signature in the first instance, or by immediate accession to the treaty as soon as it comes into force in the manner provided in Article Three of the American draft, and it will offer no objection when and if such a suggestion is made.

### Four: Treaties of Neutrality.

The United States is not informed as to the precise treaties which France has in mind, and cannot, therefore, discuss their provisions. It is not unreasonable to suppose, however, that the relations between France and the States whose neutrality she has guaranteed are sufficiently close and intimate to make it possible for France to persuade such States to adhere seasonably to the anti-war treaty proposed by the United States. If this were done, no party to the anti-war treaty could attack the neutralized States without violating the treaty and thereby automatically freeing France and the other Powers in respect of the treaty-breaking State from the obligations of the anti-war treaty. If the neutralized States were attacked by a State not a party to the anti-war treaty, the latter treaty would, of course, have no bearing and France would be as free to act under the treaties guaranteeing neutrality as if she were not a party to the anti-war treaty. It is difficult to perceive, therefore, how treaties guaranteeing neutrality can be regarded as necessarily preventing the conclusion by France or any other Power of a multi-lateral treaty for the renunciation of war.

### Five: Relations with a Treaty-Breaking State.

As I have already pointed out, there can be no question, as a matter of law, that violation of a multi-lateral anti-war treaty through resort to war by one party thereto would automatically release the other parties from their obligations to the treaty-breaking State. Any express recognition of this principle of law is wholly unnecessary.

**Six: Universality.**

From the beginning it has been the hope of the United States that its proposed multi-lateral anti-war treaty should be world-wide in its application, and appropriate provision therefore was made in the draft submitted to the other Governments on April 13. From a practical standpoint it is clearly preferable, however, not to postpone the coming into force of an anti-war treaty until all the nations of the world can agree upon the text of such a treaty and cause it to be ratified. For one reason or another, a State so situated as to be no menace to the peace of the world might obstruct agreement or delay ratification in such manner as to render abortive the efforts of all the other Powers. It is highly improbable, moreover, that a form of treaty acceptable to the British, French, German, Italian, and Japanese Governments, as well as to the United States, would not be equally acceptable to most if not all of the other Powers of the world. Even were this not the case, however, the coming into force among the above-named six Powers of an effective anti-war treaty and their observance thereof would be a practical guarantee against a second world war. This in itself would be a tremendous service to humanity, and the United States is not willing to jeopardize the practical success of the proposal which it has made by conditioning the coming into force of the treaty upon prior universal or almost universal acceptance.

**3. THE BRITISH RESERVATION**

The British Reservation was contained in paragraph 10 of Sir Austen Chamberlain's Note of May 19, as follows; it was re-affirmed in the British Note of July 18.<sup>1</sup>

The language of Article I, as to the renunciation of war as an instrument of national policy, renders it desirable that I should remind your Excellency that there are certain regions of the world the welfare and integrity of which constitute a special and vital interest for our peace and safety. His Majesty's Government have been at pains to make it clear in the past that interference with these regions cannot be suffered. Their protection against attack is to the British Empire a measure of self-defence. It must be clearly understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect. The Government of the United States have comparable interests any disregard of which by a foreign Power they have declared that they would regard as an unfriendly act. His

<sup>1</sup> British White Papers, Cmd. 3109, p. 25, and Cmd. 3153, p. 10.

Majesty's Government believe, therefore, that in defining their position they are expressing the intention and meaning of the United States Government.

Statements were made in the Dail on May 31 and in the Canadian House of Commons on June 7, to the effect that this reservation concerned His Majesty's Government in Great Britain alone and was not binding upon the Dominion Governments.

#### 4. THE AMERICAN INTERPRETATION

*Report of the U.S. Senate Committee on Foreign Relations.  
January 14, 1929*<sup>1</sup>

Your Committee on Foreign Relations reports favorably the treaty signed at Paris, August 27, 1928, popularly called the multi-lateral or Kellogg-Briand treaty. The two articles in this treaty are as follows:

'Article I. The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another.'

'Article II. The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.'

The treaty in brief pledges the nations bound by the same not to resort to war in the settlement of their international controversies save in *bona fide* self-defence, and never to seek settlement of such controversies except through pacific means. It is hoped and believed that the treaty will serve to bring about a sincere effort upon the part of the nations to put aside war and to employ peaceful methods in dealing with each other.

The committee reports the above treaty with the understanding that the right of self-defence is in no way curtailed or impaired by the terms or conditions of the treaty. Each nation is free at all times and regardless of the treaty provisions to defend itself, and is the sole judge of what constitutes the right of self-defence and the necessity and extent of the same.

The United States regards the Monroe doctrine as a part of its national security and defence. Under the right of self-defence allowed by the treaty must necessarily be included the right to maintain the Monroe doctrine which is a part of our system of national defence. Bearing upon this question and as to the true interpretation of the

<sup>1</sup> See *Congressional Record*, vol. 70, No. 29, January 15, 1929, pp. 1783-4.

Monroe doctrine, as it has always been maintained and interpreted by the United States, we incorporate the following:

'We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety....'

'It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness.' (President Monroe's message, December 2, 1823.)

'The doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a Nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinct form of government.' (Message of President Cleveland, December 17, 1895.)

'The doctrine is not international law, but it rests upon the right of self-protection and that right is recognized by international law. The right is a necessary corollary of independent sovereignty. It is well understood that the exercise of the right of self-protection may, and frequently does, extend in its effect beyond the limits of the territorial jurisdiction of the State exercising it....'

'Since the Monroe doctrine is a declaration based upon this Nation's right of self-defence, it cannot be transmuted into a joint or common declaration by American States, or any number of them.'

'It is to be observed that in reference to the South American governments, as in all other respects, the international right upon which the declaration expressly rests is not sentiment or sympathy or a claim to dictate what kind of government any other country shall have, but the safety of the United States. It is because the new governments cannot be overthrown by the allied powers "without endangering our peace and happiness"; that "the United States cannot behold such interposition in any form with indifference".' (Hon. Elihu Root, July 1914.)

'There are now three fundamental principles which characterize the policy of President Monroe as it was and as it is. First, the Monroe doctrine was a statement of policy originated and maintained by reason of self-interest, not of altruism. Second, it was justifiable by reason of the right of self-defence (which is a recognized principle of international law). Third, it called no new rights into being; therefore, whenever it oversteps the principle of self-defence, reasonably interpreted, the right disappears and the policy is questionable, because it then violates the rights of others.... The Monroe doctrine

is based upon the right of self-defence. This is the first law of nations, as of individuals.' (Prof. Theodore Woolsey, June 1914.)

The committee further understands that the treaty does not provide sanctions, express or implied. Should any signatory to the treaty or any nation adhering to the treaty violate the terms of the same, there is no obligation or commitment, express or implied, upon the part of any of the other signers of the treaty to engage in punitive or coercive measures as against the nation violating the treaty. The effect of the violation of the treaty is to relieve the other signers of the treaty from any obligation under it with the nation thus violating the same.

In other words, the treaty does not, either expressly or impliedly, contemplate the use of force or coercive measures for its enforcement as against any nation violating it.

It is a voluntary pledge upon the part of each nation that it will not have recourse to war except in self-defence, and that it will not seek settlement of its international controversies except through pacific means. And if a nation sees proper to disregard the treaty and violate the same, the effect of such action is to take it from under the benefits of the treaty and to relieve the other nations from any treaty relationship with the said power.

This treaty in no respect changes or qualifies our present position or relation to any pact or treaty existing between other nations or governments.

This report is made solely for the purpose of putting upon record what your committee understands to be the true interpretation of the treaty, and not in any sense for the purpose or with the design of modifying or changing the treaty in any way or effectuating a reservation or reservations to the same.

##### 5. THE SOVIET RESERVATION

*Note from M. Litvinoff to M. J. Herbette, Ambassador Extraordinary and Plenipotentiary of the French Republic [in Moscow], August 31, 1928.<sup>1</sup>*

Mr. Ambassador:

On August 27 you were so kind as to bring officially to my knowledge under instructions from your Government the fact that on that very day the Governments of the German Republic, the United States of North America, Belgium, France, Great Britain and its dominions, Italy, Japan, Poland, and Czecho-Slovakia had signed in Paris a multilateral covenant under which they undertake not

<sup>1</sup> Official text issued by the United States Department of State.

to resort in their mutual relations to war as an instrument of national policy, but to solve the differences which might arise among them by exclusively pacific means. When you handed me a copy of the said covenant and gave me a brief statement of its history you were also so kind, Mr. Ambassador, as to say to me:

(a) that the limitation of the number of the original signatories of the covenant was solely prompted, according to the Government of the United States of North America, by purely practical considerations and with the purpose of making it easier actually to put in force the covenant in the shortest time possible, but that it was always kept in mind that as soon as the covenant should be finally brought into being the immediate accession of all the nations in the world would be guaranteed on the same conditions and with the same advantages as those that were given to the original signatories of the covenant;

(b) that in accordance with the foregoing the Government of the United States of North America was charged with the duty of accepting the declarations of all the States that should wish to adhere to the covenant;

(c) that the representatives of the Government of the United States of North America in all the foreign States, with the exception of those whose representatives had already signed the covenant, had been instructed to communicate to the governments to which they are accredited the text of the covenant signed in Paris;

(d) that the Government of the United States of North America declared its readiness to receive even now the instruments of adherence of those governments;

(e) that the Government of the French Republic accepted the duty of making known to the Government of the U.R.S.S., through you, Mr. Ambassador, the text of the said covenant and to inquire whether it was willing to accede and

(f) that, if so, you, Mr. Ambassador, were authorized to receive the instrument of adhesion to the covenant for transmission to Washington.

In making the answer of the Government of the U.R.S.S. to your inquiry known through this note, I have the honor to beg you, Mr. Ambassador, to communicate the following to your Government with the request that it will kindly transmit it to the Government of the United States of North America.

1. The Soviet Government, which from the very beginning of its existence laid at the foundation of its foreign policy the safeguard and guarantee of general peace, has always been a consistent supporter of peace and has always met half way any action taken in that

direction. The Soviet Government, furthermore, has always regarded, and still regards, as the one effective way of preventing armed conflict to make a reality of the program of general and total disarmament, as in the feverish atmosphere of general armament any rivalry between States unavoidably leads to war, and that war is all the more bloody as the system of armaments is more perfect. A detailed plan of complete disarmament has been submitted by the delegation of the Soviet Union to the Preparatory Commission of the Conference on Disarmament at the League of Nations, but unfortunately did not win the support of a majority of that Commission, including the representatives of those very Powers which are the original signatories of the covenant of Paris. The plan was rejected although its acceptance and enforcement would have meant a genuine guarantee of peace.

2. Unwilling to overlook any chance of contributing in lessening the burden of armament which is crushing the people, the Soviet Government, after the rejection of its motion for total disarmament, did not decline not only to discuss the partial rejection of armaments but intervened through its delegation in the Preparatory Commission with a detailed project of partial but substantial disarmament. Yet the Soviet Government unfortunately must note that the project also failed to find support in the Preparatory Commission, which once more gave evidence of the total impotency of the League of Nations in the field of disarmament which, nevertheless, is the most substantial guarantee of peace and the most powerful means of abolishing war; this took place in the face of the obvious resistance offered to the Soviet propositions by nearly all the States which were the first to sign the covenant forbidding war.

3. Aiming to bring into effect its policy of peace, the Soviet Government, besides its systematically standing for the cause of disarmament, had also addressed the other governments, long before the idea of the covenant recently signed in Paris had come out, with the proposition to renounce through bilateral covenants not only the wars referred to in the covenant of Paris but any mutual aggression and any armed conflict whatsoever. Certain States such as Germany, Turkey, Afghanistan, Persia, and Lithuania accepted the proposition and concluded with the Soviet Government appropriate covenants. Other governments allowed the proposition and refrained from answering it, and again others rejected it on the peculiar ground that the fact of unreservedly renouncing aggression would be incompatible with their obligations to the League of Nations. That, however, did not prevent those same Powers from signing the Paris

covenant without mentioning in the wording of the covenant the sacredness of the above-mentioned obligations.

4. The facts hereinabove stated afford unquestionable proof that the idea of removing wars and armed conflicts from the fields of international policy is the predominant idea of the foreign policy of the Soviet. Nevertheless, the originators of the covenant of Paris did not see fit to ask the Soviet Government either to join in the pourparlers which took place before the covenant or the framing of the text of that covenant. Likewise, no invitation was sent to the Powers that are sincerely interested in the maintenance of peace because either in the past (Turkey and Afghanistan) or in the present (the Republic of the great Chinese people) they have been or are attacked. The invitation to adhere to the covenant transmitted by the French Government likewise fails to contain conditions which would make it possible for the Soviet Government to exercise any influence on the very language of the instrument signed in Paris. Yet, the Soviet Government lays down as a foundation the axiom that under no condition whatsoever can it be deprived of the right which has accrued or may hereafter accrue to the governments that have signed the covenant, and standing on that right the Soviet Government must in particular first offer several remarks concerning its attitude towards the covenant.

5. First of all the Soviet Government cannot refrain from expressing its most profound regret that there is not in the covenant of Paris any obligation whatsoever having to do with disarmament. The Soviet delegation to the Preparatory Commission of the Disarmament Conference already has had the opportunity to declare that it is only by joining a covenant forbidding war with the carrying into effect of the total or general disarmament that success could be achieved in effectively guaranteeing the maintenance of universal peace and that, on the contrary, an international treaty forbidding war, but not accompanied by even that elementary guarantee offered by the limitation of armaments that are continuously progressing, would be a dead letter without any actual scope. The public declarations recently made by certain signatories of the Paris covenant concerning the unavoidable continuance of armament even after the pact is concluded are truly a confirmation of the foregoing. The new political international groups which have arisen in the meanwhile with especial regard to the question of naval armament have added force to this theory. That is the reason why the present situation makes it more than ever imperative to take decided measures in the field of disarmament.

6. In considering the language of the covenant the Soviet Government deems it necessary to point to the lack of plainness and clearness in Article 1 of the very formula that forbids war, which is open to divergent and arbitrary interpretations. For its part, the Soviet Government believes that any international war must be forbidden either as an instrument of what is styled 'national policy' or as a means to promote other ends (for instance, the repression of movements for the freeing of peoples, &c.). According to the Soviet Government wars must be forbidden not only in the juridical and formal construction of the word (that is to say, supposing the 'declaration of war', &c.) but also military actions such as, for instance, interference, blockade, military occupation of foreign territories, of foreign ports, &c. The history of these last few years knows of quite a number of military actions of that kind which have brought upon peoples awful calamities. The Soviet Republics themselves have been attacked in that way and at the present time the huge Chinese people are suffering such attacks. There is more, military actions of that kind very often grow to the size of great wars which it becomes completely impossible to stop, and yet, the covenant does not in any way mention those questions that are so grave from the standpoint of peace.

Again, the same Article 1 of the covenant deals with the necessity of solving all arguments and all international disputes by means that are exclusively pacific. Working on that theory, the Soviet Government believes that there should also be put among the non-pacific means that are forbidden by the covenant such means as a refusal to resume normal pacific relations between nations or breaking such relations, for acts of that character, by setting aside the pacific means which might decide differences, aggravate relations and contribute in creating an atmosphere that is conducive to the unleashing of wars.

7. Among the restrictions made in writing at the time of the diplomatic pourparlers among the original signatories of the covenant the Soviet Government paid particular attention to the reservation of the British Government in paragraph 10 of its note of May 19 of this year. The British Government there reserves to itself absolute freedom of action as towards several regions which it does not especially enumerate. If they are regions forming part of the British Empire or its dominions they are already all of them included in the covenant and the case of any aggression against them is provided for in the covenant so that the reservation of the British Government in their respect might seem to be at least superfluous. But if other regions are concerned the signatories of the covenant have a right

exactly to know where the freedom of action of the British Government begins and where it ends.

But the British Government reserves to itself full freedom of action, not only in cases of armed aggression against those regions, but even in cases of any act whatsoever of enmity or 'of immixion' which would justify the British Government in opening hostilities. Recognition of such a right for that Government would come to justifying war, and might be taken as a contagious example by other signatories of the covenant who, by reason of equal rights, would also take upon themselves the same liberty with regard to other regions, and the result would be that there would probably be no place left on the earthly globe where the covenant could be put in operation. Indeed, the restriction made by the British Government carries an invitation to another signatory of the covenant to withdraw from its operation still other regions. The Soviet Government is unable to regard this reservation as anything but an attempt to use the covenant itself as an instrument of imperialistic policy. But the said note of the British Government is not communicated to the Soviet Government as forming a constituting part of the covenant or an annex thereto, so it cannot be regarded as binding on the Soviet Government, no more than the other restrictions concerning the covenant that are mentioned in the diplomatic correspondence of the original signatories can be binding on the Soviet Government. Neither can the Soviet Government agree to all of the restrictions that justify war and particularly the restrictions made in the said correspondence to withdraw from the operation of the covenant decisions flowing from the by-laws of the League of Nations and the Locarno Agreements.

8. Summing up the foregoing, I have still to note the absence from the covenant of obligations concerning disarmament which stands as the one essential element by which peace can be guaranteed; the inadequacy and uncertainty of the very formula about the inhibition of war, and finally the existence of several restrictions aimed to cast aside any appearance of a promise for the cause of peace. Yet, in so far as the Paris covenant lays upon Powers certain obligations as to public opinion and affords the Soviet Government another opportunity to bring before all those who are parties to the covenant the most important question for the cause of peace, that of disarmament, the solution of which is still the one guarantee which can ward off war, the Soviet Government expresses its consent to adhere to the covenant of Paris.

In accordance with the foregoing, I shall, Mr. Ambassador, shortly

have the honor to forward to you the instrument of adherence of my Government as soon as the formalities going with it shall have been accomplished.

I take this opportunity to renew to you, Mr. Ambassador, the assurances of my high consideration.

(Signed) M. LITVINOFF.

Acting Commissar of the  
People for Foreign Affairs.

#### 6. JAPANESE INTERPRETATION

In ratifying the Pact the Japanese Government, in view of certain opposition in domestic politics, made the following declaration;

##### *Declaration<sup>1</sup>*

The Imperial Government declare that the phraseology 'in the names of their respective peoples', appearing in Article I of the Treaty for the Renunciation of War, signed at Paris on August 27, 1928, viewed in the light of the provisions of the Imperial Constitution, is understood to be inapplicable in so far as Japan is concerned.

June 27, 4 Showa (1929).

#### 7. THE WORLD AND THE PACT

- (a) There were fifteen original signatories to the Pact.
- (b) By the end of December 1928 forty-six other states had notified the U.S. Government of their adherence or their intention to adhere to the Pact.

Of these the U.S.S.R., Egypt, and Persia adhered with the proviso that they did not accept any of the reservations made in connexion with the Pact. Hungary, in her notification of adherence, recapitulated her arguments against the injustice of the Treaty of Trianon and stated that she accepted the Pact 'under the supposition that the Government of the United States as well as the Governments of the other Signatory Powers, will seek to find the means of rendering it possible that, in future, injustices may be remedied by peaceful means'.

(c) At the end of 1928 six Latin-American States had not adhered to the Pact : Argentine, Brazil, Chile, Ecuador, Guatemala, Salvador.

(d) The following States were not invited to adhere : Thibet, the Yemen, the Hejaz, Nejd, San Marino, Andorra, Monaco and Liechtenstein.

NOTE.—A full account of the history of the negotiations leading up to the signing of the Kellogg Pact, together with all the relevant documents and speeches, is to be found in *Information on the Renunciation of War*, by J. W. Wheeler-Bennett (Allen and Unwin, 1928).

<sup>1</sup> Translation prepared for the Information Service on International Affairs.

## II. THE LEAGUE OF NATIONS

### 1. THE GENERAL ACT <sup>1</sup>

(Adopted by the Ninth Assembly of the League of Nations,  
September 1928.)

#### CHAPTER I

##### *Conciliation*

###### Article 1

Disputes of every kind between two or more Parties to the present General Act which it has not been possible to settle by diplomacy shall, subject to such reservations as may be made under Article 39, be submitted, under the conditions laid down in the present Chapter, to the procedure of conciliation.

###### Article 2

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the Parties to the dispute.

###### Article 3

On a request to that effect being made by one of the Contracting Parties to another Party, a permanent Conciliation Commission shall be constituted within a period of six months.

###### Article 4

Unless the Parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows:

(1) The Commission shall be composed of five members. The Parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the Parties. The Parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the Parties. Either Party may, however, at any time replace

<sup>1</sup> Official text issued by the Secretariat of the League of Nations, Document A. 86 (i) 1928, ix.

## GENERAL

a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

### Article 5

If, when a dispute arises, no Permanent Conciliation Commission appointed by the Parties is in existence, a special commission for the examination of the dispute shall be appointed within a period of three months from the date on which one of the Parties requested the other Party to constitute such a commission. The appointment should be made in the manner laid down in the preceding article unless the parties decide otherwise.

### Article 6

(1) If the appointment of the commissioners to be designated jointly is not made within the period provided for in Articles 3 and 5, the making of the necessary appointment shall be entrusted to a third Power, chosen by agreement between the Parties, or on request of the Parties, by the Acting President of the Council of the League of Nations.

(2) If no agreement is reached on either of these procedures, each Party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

(3) If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

### Article 7

(1) Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two Parties acting in agreement, or in default thereof by one or other of the Parties.

(2) The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

(3) If the application emanates from only one of the Parties, the other Party shall, without delay, be notified by it.

### Article 8

(1) Within fifteen days from the date on which a dispute has been brought by one of the Parties before a permanent Conciliation Commission, either Party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

(2) The Party making use of this right shall immediately notify the other Party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

### Article 9

(1) In the absence of any agreement to the contrary between the Parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

(2) The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

### Article 10

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the Parties.

### Article 11

(1) In the absence of any agreement to the contrary between the Parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to inquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes.

(2) The Parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

(3) The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both Parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

**GENERAL****Article 12**

Unless otherwise agreed by the Parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

**Article 13**

The Parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

**Article 14**

(1) During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the Parties, each of which shall contribute an equal share.

(2) The general expenses arising out of the working of the Commission shall be divided in the same manner.

**Article 15**

(1) The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of inquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

(2) At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

(3) The proceedings of the Commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the Commission shall have been given cognizance of the dispute.

**Article 16**

The Commission's procès-verbal shall be communicated without delay to the Parties. The Parties shall decide whether it shall be published.

## CHAPTER II

*Judicial Settlement*

## Article 17

All disputes with regard to which the Parties are in conflict as to their respective rights shall, subject to any reservations which may be made under Article 39, be submitted for decision to the Permanent Court of International Justice, unless the Parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal. It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

## Article 18

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected, and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes, shall apply so far as is necessary. If nothing is laid down in the special agreement as to rules regarding the substance of the dispute to be applied by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

## Article 19

If the Parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either Party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

## Article 20

(1) Notwithstanding the provisions of Article 1, disputes of the kind referred to in Article 17 arising between Parties who have acceded to the obligations contained in the present chapter shall only be subject to the procedure of conciliation if the Parties so agree.

(2) The obligation to resort to the procedure of conciliation remains applicable to disputes which are excluded from judicial settlement only by the operation of reservations under the provisions of Article 39.

(3) In the event of recourse to and failure of conciliation, neither Party may bring the dispute before the Permanent Court of Inter-

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national Justice or call for the constitution of the arbitral tribunal referred to in Article 18 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

### CHAPTER III

#### *Arbitration*

##### Article 21

Any dispute not of the kind referred to in Article 17 which does not, within the month following the termination of the work of the Conciliation Commission provided for in Chapter 1, form the object of an agreement between the Parties, may, subject to such reservations as may be made under Article 39, be brought before an arbitral tribunal which, unless the Parties otherwise agree, shall be constituted in the manner set out below.

##### Article 22

The Arbitral Tribunal shall consist of five members. The Parties shall each nominate one member, who may be chosen from among their respective nationals. The two other arbitrators and the Chairman shall be chosen by common agreement from among the nationals of third Powers. They must be of different nationalities and must not be habitually resident in the territory nor be in the service of the Parties concerned.

##### Article 23

(1) If the appointment of the members of the Arbitral Tribunal is not made within a period of three months from the date on which one of the Parties requested the other Party to constitute an arbitral tribunal, a third Power, chosen by agreement between the Parties, shall be requested to make the necessary appointments.

(2) If no agreement is reached on this point, each Party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

(3) If, within a period of three months, the two Powers so chosen have been unable to reach an agreement, the necessary appointment shall be made by the President of the Permanent Court of International Justice. If the latter is prevented from acting or is a subject of one of the Parties, the nomination shall be made by the Vice-President. If the latter is prevented from acting or is a subject of one of the Parties, the appointment shall be made by the oldest member of the Court who is not a subject of either Party.

**Article 24**

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

**Article 25**

The Parties shall draw up a special agreement determining the subject of the disputes and the details of procedure.

**Article 26**

In the absence of sufficient particulars in the special agreement regarding the matters referred to in the preceding article, the provisions of the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary.

**Article 27**

Failing the conclusion of a special agreement within a period of three months from the date on which the Tribunal was constituted, the dispute may be brought before the Tribunal by an application by one or other Party.

**Article 28**

If nothing is laid down in the special agreement or no special agreement has been made, the Tribunal shall apply the rules in regard to the substance of the disputes enumerated in Article 38 of the Statute of the Permanent Court of International Justice. In so far as there exists no such rule applicable to the dispute, the Tribunal shall decide *ex aequo et bono*.

**CHAPTER IV***General Provisions***Article 29**

(1) Disputes for the settlement of which a special procedure is laid down in other conventions in force between the Parties to the dispute shall be settled in conformity with the provisions of those conventions.

(2) The present General Act shall not affect any agreements in force by which conciliation procedure is established between the Parties or they are bound by obligations to resort to arbitration or judicial settlement which may ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present General Act concerning judicial settlement or arbitration shall be applied in so far as the Parties have acceded thereto.

## Article 30

If a Party brings before a Conciliation Commission a dispute which the other Party, relying on conventions in force between the Parties, has submitted to the Permanent Court of International Justice or an Arbitral Tribunal, the Commission shall defer consideration of the dispute until the Court of the Arbitral Tribunal has pronounced upon the conflict of competence. The same rule shall apply if the Court or the Tribunal is seized of the case by one of the Parties during the conciliation proceedings.

## Article 31

(1) In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of its judicial or administrative authorities, the Party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present General Act until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

(2) In such a case, the Party which desires to resort to the procedures laid down in the present General Act must notify the other Party of its intention within a period of one year from the date of the aforementioned decision.

## Article 32

If, in a judicial sentence or arbitral award, it is declared that a judgement, or a measure enjoined by a court of law or any other authority of one of the Parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that Party does not permit or only partially permits the consequences of the judgement or measure in question to be annulled, the Parties agree that the judicial or arbitral award shall grant the injured Party equitable satisfaction.

## Article 33

(1) In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down within the shortest possible time the provisional measures to be adopted. The Parties to the dispute shall be bound to accept such measures.

(2) If the dispute is brought before a Conciliation Commission, the latter may recommend to the Parties the adoption of such provisional measures as it considers suitable.

(3) The Parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

#### Article 34

Should a dispute arise between more than two Parties to the present General Act, the following rules shall be observed for the application of the forms of procedure described in the foregoing provisions:

(a) In the case of conciliation procedure, a special commission shall invariably be constituted. The composition of such commission shall differ according as the Parties all have separate interests or as two or more of their number act together.

In the former case, the Parties shall each appoint one commissioner and shall jointly appoint commissioners nationals of third Powers not parties to the dispute, whose numbers shall always exceed by one the number of commissioners appointed separately by the Parties.

In the second case, the Parties who act together shall appoint their commissioner jointly by agreement between themselves and shall combine with the other Party or Parties in appointing third commissioners.

In either event, the Parties, unless they agree otherwise, shall apply Article 5 and the following articles of the present Act, so far as they are compatible with the provisions of the present article.

(b) In the case of judicial procedure, the Statute of the Permanent Court of International Justice shall apply.

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the tribunal in the case of the disputes mentioned in Article 17 each Party shall have the right, by means of an application, to submit the dispute to the Permanent Court of International Justice; in the case of the disputes mentioned in Article 21, the above Article 22 and following articles shall apply, but each Party having separate interests shall appoint one arbitrator and the number of arbitrators who are subjects of Powers not Parties to the dispute shall always be one more than the number of arbitrators separately appointed by the Parties.

#### Article 35

(1) The present General Act shall be applicable as between the Parties thereto, even though a third Power, whether a Party to the Act or not, has an interest in the dispute.

(2) In conciliation procedure, the Parties may agree to invite such third Power to intervene.

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## Article 36

(1) In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the arbitral tribunal a request to intervene as a third Party.

(2) It will be for the Court or the tribunal to decide upon this request.

## Article 37

(1) Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the arbitral tribunal shall notify all such States forthwith.

(2) Every State so notified has the right to intervene in the proceedings; but, if it uses this right, the construction given by the decision will be binding upon it.

## Article 38

Accessions to the present General Act may extend:

A. Either to all the provisions of the Act (Chapters I, II, III and IV);

B. Or to those provisions only which relate to conciliation and judicial settlement (Chapters I and II), together with the general provisions dealing with these procedures (Chapter IV);

C. Or to those provisions only which relate to conciliation (Chapter I), together with the general provisions concerning that procedure (Chapter IV).

The Contracting Parties may benefit by the accessions of other Parties only in so far as they have themselves assumed the same obligations.

## Article 39

(1) In addition to the power given in the preceding article, a Party, in acceding to the present General Act, may make his acceptance conditional upon the reservations exhaustively enumerated in the following paragraph. These reservations must be indicated at the time of accession.

(2) These reservations may be such as to exclude from the procedure described in the present Act:

(a) Disputes arising out of facts prior to the accession either of the Party making the reservation or of any other Party with whom the said Party may have a dispute;

(b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States;

(c) Disputes concerning particular cases or clearly specified subject-matters, such as territorial status, or disputes falling within clearly specified categories.

(3) If one of the Parties to a dispute has made a reservation, the other Parties may enforce the same reservation in regard to that Party.

(4) In the case of Parties who have acceded to the provisions of the present General Act relating to judicial settlement or to arbitration, such reservations as they may have made shall, unless otherwise expressly stated, be deemed not to apply to the procedure of conciliation.

#### Article 40

A party whose accession has been only partial, or was made subject to reservations, may at any moment, by means of a simple declaration, either extend the scope of his accession or abandon all or part of his reservations.

#### Article 41

Disputes relating to the interpretation or application of the present General Act, including those concerning the classification of disputes and the scope of reservations, shall be submitted to the Permanent Court of International Justice.

#### Article 42

The present General Act, of which the French and English texts shall both be authentic, shall bear to-day's date.

#### Article 43

(1) The present General Act shall be open to accession by all the Heads of States or other competent authorities of the Members of the League of Nations and the non-Member States to which the Council of the League of Nations has communicated a copy for this purpose.

(2) The instruments of accession and the additional declarations provided for by Article 40 shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-Member States referred to in the preceding paragraph.

(3) The Secretary-General of the League of Nations shall draw up three lists, denominated respectively by the letters A, B and C, corresponding to the three forms of accession to the present Act

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provided for in Article 38, in which shall be shown the accessions and additional declarations of the Contracting Parties. These lists, which shall be continually kept up to date, shall be published in the annual report presented to the Assembly of the League of Nations by the Secretary-General.

### Article 44

(1) The present General Act shall come into force on the ninetieth day following the receipt by the Secretary-General of the League of Nations of the accession of not less than two Contracting Parties.

(2) Accessions received after the entry into force of the Act, in accordance with the previous paragraph, shall become effective as from the ninetieth day following the date of receipt by the Secretary-General of the League of Nations. The same rule shall apply to the additional declarations provided for by Article 40.

### Article 45

(1) The present General Act shall be concluded for a period of five years, dating from its entry into force.

(2) It shall remain in force for further successive periods of five years in the case of Contracting Parties which do not denounce it at least six months before the expiration of the current period.

(3) Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-Member States referred to in Article 43.

(4) A denunciation may be partial only, or may consist in notification of reservations not previously made.

(5) Notwithstanding denunciation by one of the Contracting Parties concerned in a dispute, all proceedings pending at the expiration of the current period of the General Act shall be duly completed.

### Article 46

A copy of the present General Act, signed by the President of the Assembly and by the Secretary-General of the League of Nations, shall be deposited in the archives of the Secretariat; a certified true copy shall be delivered by the Secretary-General to all the Members of the League of Nations and to the non-Member States indicated by the Council of the League of Nations.

### Article 47

The present General Act shall be registered by the Secretary-General of the League of Nations on the date of its entry into force.

## 2. NOTE ON OTHER MODEL TREATIES AND CONVENTIONS ADOPTED BY THE NINTH ASSEMBLY

Together with the General Act there were approved by the Ninth Assembly three model Bilateral Conventions dealing with conciliation, arbitration and judicial settlement and three model Treaties of non-aggression and mutual assistance, as follows:—

1. Bilateral Convention for the Pacific Settlement of all International Disputes (Convention a).
2. Bilateral Convention for Judicial Settlement, Arbitration and Conciliation (Convention b).
3. Bilateral Conciliation Convention (Convention c).
4. Collective Treaty of Mutual Assistance (Treaty D).
5. Collective Treaty of Non-Aggression (Treaty E).
6. Bilateral Treaty of Non-Aggression (Treaty F).

NOTE.—*Full texts of these Conventions and Treaties are given in League Document A 86 (1), 1928 IX.*

## III. THE ANGLO-FRENCH NAVAL COMPROMISE

### 1. NOTE FROM THE MARQUESS OF CREWE TO M. BRIAND JULY 28, 1928<sup>1</sup>

His Majesty's Government are in full agreement with the French Government that the assent of the other great naval Powers is essential to success, and, as desired by the French Government, His Majesty's Government will communicate to the Governments of the United States, Italy, and Japan the compromise which has already received the approval of France and Great Britain, that is to say:

'Limitations which the Disarmament Conference will have to determine will deal with four classes of warships:

- '(1) Capital ships, i. e., ships of over 10,000 tons or with guns of more than 8-inch calibre.
- '(2) Aircraft carriers of over 10,000 tons.
- '(3) Surface vessels of or below 10,000 tons, armed with guns of more than 6-inch and up to 8-inch calibre.
- '(4) Ocean-going submarines, i. e., over 600 tons.

'The Washington Treaty regulates limitations in classes (1) and (2), and the Disarmament Conference will only have to consider the method of extending these limitations to Powers non-signatory to this treaty.

<sup>1</sup> See British White Paper, Cmd. 3211, pp. 26–7.

This agreement was circulated to the three remaining great naval Powers, The United States, Italy, and Japan.

'As regards classes (3) and (4), the final Disarmament Conference will fix a maximum tonnage applicable to all Powers which no Power will be allowed to exceed for the total of vessels in each of these respective categories during the period covered by the convention. Within this maximum limit each Power will at the final conference indicate for each of these categories the tonnage they propose to reach and which they undertake not to exceed during the period covered by the convention.'

British Embassy, Paris.

**2. NOTE FROM THE AMERICAN AMBASSADOR TO LORD CUSHENDUN  
SEPTEMBER 28, 1928<sup>1</sup>**

My Lord,

The Government of the United States has received from His Majesty's Government a communication summarizing the understanding reached between the British and the French Governments as to a basis of naval limitation, which agreement, it is stated, will be submitted to the next meeting of the Preparatory Commission for the Disarmament Conference.

The Government of the United States is willing to submit certain suggestions as to the basis of naval limitation, as summarized in the British note. From the communication of His Majesty's Government it appears that:

The limitations which the Disarmament Conference will have to determine will deal with four classes of men-of-war; (1) capital ships, that is, ships of over ten thousand (10,000) tons or with guns of more than 8-inch calibre; (2) aircraft carriers of over ten thousand (10,000) tons; (3) surface vessels of or below ten thousand (10,000) tons armed with guns of more than 6-inch and up to 8-inch calibre; (4) ocean-going submarines of over six hundred (600) tons.

As the Washington Treaty regulates the first two classes, that is, capital ships and aircraft carriers, the Preparatory Commission will have to consider only the last two categories so far as the signatories of that treaty are concerned.

From the foregoing summary of the agreement it appears that the only classes of naval vessels which it is proposed to limit under the Anglo-French draft agreement are cruisers of or below ten thousand (10,000) tons armed with guns of more than 6-inch and up to 8-inch calibre, and submarines of over six hundred (600) tons. The position of the Government of the United States has been and now is that any limitation of naval armament, to be effective, should apply to all

<sup>1</sup> British White Paper, Cmd. 3211, pp. 34-8.

classes of combatant vessels. The Anglo-French Agreement provides no limitation whatsoever on 6-inch gun cruisers or destroyers, or submarines of six hundred (600) tons or less. It could not be claimed that the types of vessels thus left without limitation are not highly efficient fighting ships. No one would deny that modern cruisers armed with 6-inch guns, or destroyers similarly armed, have a very high offensive value, especially to any nation possessing well-distributed bases in various parts of the world. In fact, such cruisers constitute the largest number of fighting ships now existing in the world. The limitation of only such surface vessels as are restricted in class 3 of the draft agreement, that is, cruisers of or below ten thousand (10,000) tons armed with guns of more than 6-inch and up to 8-inch calibre, would be the imposition of restrictions only on types peculiarly suited to the needs of the United States. The United States cannot accept as a distinct class surface combatant vessels of or below ten thousand (10,000) tons armed with guns of more than 6-inch and up to 8-inch calibre. It is further clearly apparent that limitation of this type only would add enormously to the comparative offensive power of a nation possessing a large merchant tonnage on which preparation may be made in times of peace for mounting 6-inch guns.

At the Three-Power Conference at Geneva in 1927 the British delegation proposed that cruisers be thus divided into two classes: those carrying 8-inch guns, and those carrying guns of 6 inches or less in calibre. They proposed, further, that 8-inch gun cruisers be limited to a small number or to a small total tonnage limitation, and that the smaller class of cruisers carrying 6-inch guns or less be permitted a much larger total tonnage, or, what amounts to the same thing, to a very large number of cruisers of this class. The limitation proposed by the British delegation on this smaller class of cruisers was so high that the American delegation considered it in effect no limitation at all. This same proposal is now presented in a new and even more objectionable form, which still limits large cruisers, which are suitable to American needs, but frankly places no limitation whatever on cruisers carrying guns of 6 inches or less in calibre. This proposal is obviously incompatible with the American position at the Three-Power Conference. It is even more unacceptable than the proposal put forward by the British delegation at that conference, not only because it puts the United States at a decided disadvantage, but also because it discards altogether the principle of limitation as applied to important combatant types of vessels.

Much of what has been said above as to vessels in class 3 of the Anglo-French Agreement applies with equal or greater force to class 4.

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The American Government cannot accept as a distinct class of submarines those of over six hundred (600) tons, leaving unlimited all submarines of six hundred (600) tons or under. Six-hundred-ton submarines are formidable combatant vessels. They carry the same torpedoes as are carried by larger submarines and of equal destructive force within the radius of their operation. They can also be armed with guns of 5-inch calibre. The United States would gladly, in conjunction with all the nations of the world, abolish the submarine altogether. If, however, submarines must be continued as instruments of naval warfare, it is the belief of the American Government that they should be limited to a reasonable tonnage or number.

If there is to be further limitation upon the construction of war vessels so that competition in this regard between nations may be stopped, it is the belief of the United States that it should include all classes of combatant vessels, submarines as well as surface vessels.

The Government of the United States has earnestly and consistently advocated real reduction and limitation of naval armament. It has given its best efforts towards finding acceptable methods of attaining this most desirable end. It would be happy to continue such efforts, but it cannot consent to proposals which would leave the door wide open to unlimited building of certain types of ships of a highly efficient combatant value and would impose restrictions only on types peculiarly suitable to American needs.

The American Government seeks no special advantage on the sea, but clearly cannot permit itself to be placed in a position of manifest disadvantage. The American Government feels, furthermore, that the terms of the Anglo-French Draft Agreement in leaving unlimited so large a tonnage and so many types of vessels, would actually tend to defeat the primary objective of any disarmament conference for the reduction or the limitation of armament, in that it would not eliminate competition in naval armament and would not effect economy. For all these reasons the Government of the United States feels that no useful purpose would be served by accepting as a basis of discussion the Anglo-French proposal.

The American Government has no objection to any agreement between Great Britain and France which those countries think will be to their advantage and in the interest of limitation of armament, but naturally cannot consent that such an agreement should be applied to the United States.

In order to make quite clear that, in declining to adopt the Anglo-French Agreement as a basis for discussion of naval limitation, it seems appropriate briefly to review the attitude of the United States

regarding the methods of limitation in order to show that the American Government has consistently favoured a drastic proportional limitation. The success of the Washington Conference is known to all. It strictly limited all combatant ships and aircraft carriers of over ten thousand (10,000) tons. In order to bring about such limitation the American Government made great sacrifices in the curtailment of plans of building and in the actual destruction of ships already built. At the first session of the Preparatory Conference the American Government submitted proposals which were consistently adhered to at subsequent meetings: (1) That the total tonnage allowed in each class of combatant vessel be prescribed; (2) that the maximum tonnage of a unit and the maximum calibre of gun allowed for each class be prescribed; (3) that, so long as the total tonnage allowed to each class is not exceeded, the actual number of units may be left to the discretion of each Power concerned.

Within this general plan the American proposal at the Geneva Conference was, for the United States and the British Empire, a total tonnage limitation in the cruiser class of from two hundred and fifty thousand (250,000) to three hundred thousand (300,000) tons, and for Japan, from one hundred and fifty thousand (150,000) to one hundred and eighty thousand (180,000). For the destroyer class, for the United States and the British Empire, from two hundred thousand (200,000) to two hundred and fifty thousand (250,000), and for Japan, from one hundred and twenty thousand (120,000) to one hundred and fifty thousand (150,000) tons. For the submarine class, for the United States and the British Empire, sixty thousand (60,000) to ninety thousand (90,000) tons, and for Japan, thirty-six thousand (36,000) to fifty-four thousand (54,000) tons. It was further stated by the American delegation that, if any Power represented felt justified in proposing still lower tonnage levels for auxiliary craft, the American Government would welcome such proposal.

The purpose of these proposals was that there might be no competition between the three Powers in the building of naval armament, that their respective navies should be maintained at the lowest level compatible with national security and should not be of the size and character to warrant the suspicion of aggressive intent, and, finally, that a wise economy dictates that further naval construction be kept to a minimum.

The Government of the United States remains willing to use its best efforts to obtain a basis of further naval limitation satisfactory to all the naval Powers, including those not represented at the Three-Power Conference at Geneva, and is willing to take into consideration

in any conference the special needs of France, Italy or any other naval Power for the particular class of vessels deemed by them most suitable for their defence. This could be accomplished by permitting any of the Powers to vary the percentage of tonnage in classes within the total tonnage, a certain percentage to be agreed upon. If there was an increase in one class of vessels it should be deducted from the tonnage to be used in other classes. A proposal along these lines made by Great Britain and discussed by the American and British representatives would be sympathetically considered by the United States. It expects on the part of others, however, similar consideration for its own needs. Unfortunately, the Anglo-French Agreement appears to fulfil none of the conditions which to the American Government seem vital. It leaves unlimited a very large class of effective fighting ships, and this very fact would inevitably lead to a recrudescence of naval competition disastrous to national economy.

I have, &c.

A. B. HOUGHTON.

### 3. SPEECH BY MR. BALDWIN, THE PRIME MINISTER, AT THE ALBERT HALL ON OCTOBER 26, 1928<sup>1</sup>

While we have maintained and indeed improved our close and long-continued relations with France, we have established completely friendly relations with the most powerful of our former enemies, and we can justly claim that we have played no small part in the better relations which now exist between France and Germany.

I must contradict an idea that has gained currency in some quarters, but for which there is no shadow of foundation, that we have to some extent abandoned our position of impartiality and conciliation which we assumed at the time of the Locarno Pact.

That is not so. We have made no new engagements: there is no change in the orientation of our policy. Our interests and our inclinations alike prompt us to preserve and even strengthen the cordiality of our relations with Germany as well as with France. With Italy we have been on the most friendly terms for generations, and nothing has occurred, or will occur, to interrupt that friendship. . . . I regret profoundly the temporary failure to come to agreement with America on naval matters. . . . Our policy in naval building is and has been for the last few years to go slow. We have no intention of building in competition with the United States of America. We came to that decision and we built slow long before we were asked to sign the Kellogg Pact, but I would like to express the pleasure which

<sup>1</sup> *The Times*, October 27, 1928.

I feel that that pact has been signed at this time. We have deliberately turned our backs on war as an instrument that has been used from the beginning of time.

**4. SPEECH BY THE PRIME MINISTER AT THE GUILDHALL  
ON NOVEMBER 9, 1928<sup>1</sup>**

With France we have sought the closest co-operation; and a progressive improvement has taken place during the last five or six years in our relations, which have been marked by certain vicissitudes after the War, but now all that is far behind, for we understand each other perhaps better than we have ever done before, and the fact that this improvement, that has come with the years in our relations, has been followed by a striking change in the internal condition of Germany, as well as in her relations with France, is the best proof, if proof were needed, that close co-operation between London and Paris does not and cannot react and shall not react to the detriment either of Germany or of any other Power. On the contrary, the expansion of that co-operation into the wider co-operation of Locarno still forms the keystone of the European arch and it still constitutes the policy of His Majesty's Government. Peace means not less collaboration but more, and the fact that His Majesty's Government so often begin by seeking collaboration with their nearest neighbour does not mean that they are in the slightest degree less eager to co-operate with others.

**IV. RHINELAND EVACUATION**

**1. SPEECH BY HERR STRESEMANN IN THE REICHSTAG  
ON JANUARY 30, 1928**

As regards our relations with France, I have already referred to the Franco-German commercial treaty. The value of this agreement is all the more significant as it is the first attempt in the last half century to settle economic differences between the two countries on a treaty basis. Without goodwill it would not have been possible to remove the differences between the two countries. The question now is to reach a similar understanding in the political sphere. To this there is one great obstacle: the continuance of the Rhineland occupation. The President of the Reich expressed the general feeling of the German people when in his New Year's address he asked for evacuation. It was a French semi-official paper which said, referring to the President's speech, that the world had become accustomed to the

<sup>1</sup> *The Times*, November 10, 1928.

rhetorical efforts of German policy, and it therefore expressed the belief that the President's appeal should not be taken too seriously. French public opinion would be gravely mistaken if it accepted this point of view.

If, in spite of the continued occupation of the Rhineland, the development of the relations between France and Germany has not been directly disturbed, it is to be attributed to the goodwill and the peaceful outlook of the German people. But France should realize that certain psychological factors must be seriously taken into account if the Franco-German relations are to develop. The anomaly between the Locarno policy and the continued occupation of the Rhineland stands clearly before us. It is true that the evacuation of the Rhineland was not mentioned in the Locarno treaties. It is therefore incorrect to say that the Powers which signed the Locarno treaties had broken their word to Germany. Everything that was laid down in the Allied note of December 15, 1924, had been fulfilled in all points, though this had been only partly done in a businesslike manner, which seems inadequate. As regards the aviation question, which was discussed orally, the declarations then made had been fulfilled as on other questions that were discussed at a later date. But all these are questions of detail which are insignificant when compared with the momentous Locarno question, which, as was said on all sides at that time, ought not to be the end but the beginning of a new policy among the Powers. A great deal is said in France about security, particularly French security. New formulas are being sought which would protect the State from war, and war danger. I have never seen a formula providing a stronger guarantee of security between two neighbouring States than the Locarno treaty between Germany and France. Both Powers undertake by this treaty to repudiate all aggressive action against each other. Whoever calls for greater security casts doubt on the pledge and the signature. If we do not have confidence that the treaties signed to-day will be kept then it is useless to conclude any treaties whatever. Besides the prohibition of all aggressive action the Franco-German relations have the guarantee of Great Britain.

I recall the momentous incident during the Geneva negotiations when the British Foreign Minister declined further obligations on behalf of the British Empire in addition to the engagements under the Locarno treaties. He said in his speech that Great Britain would use all her power against any one who violated the Locarno treaty. Do the promise and power of Great Britain stand for nothing in the eyes of those in France who cry for increased security? Is there any

doubt as to Great Britain's power to take the offensive together with France against the German Reichswehr? Has any one the right to doubt that Great Britain will keep her solemn promise? The demand for greater security would be, so far as the Franco-German relations are concerned, an insult to both Germany and Great Britain because it would be based upon the assumption of both breaking their word. I repeat that, if there is any nation interested in the question of security, that nation is Germany. Small Powers with unrestricted armaments may to-day threaten Germany, while Germany is hardly in a position to defend even temporarily her frontiers and the life and freedom of her people. It must at last be pointed out that behind the demand for security there lurks a certain amount of hypocrisy which public opinion of the world can no longer tolerate. It must be clearly understood that it is precisely this insistence on the continuation of the Rhineland occupation that has depreciated the Locarno treaty in the eyes of the public. Much has been said about discarding machine guns and cannons. But machine guns and cannons are still staring in the Rhineland in the face of a Power with which one co-operates in the League of Nations and with which no differences of a serious political character exist.

The discussion of the evacuation question is not only a formal right of Germany under the Versailles Treaty; it is also a logical consequence, though not expressly formulated, of a treaty excluding the use of force by one country against the other. At one time Locarno was looked upon as the beginning of a new era. To-day, however, enthusiasm has had to give way to scepticism in demanding the evacuation of the Rhineland—and I believe I am in agreement with the Rhineland population on this point—I do not doubt for a moment that the Rhineland would not refuse to bear the hardships and inconveniences of occupation. We know that the Rhineland will put up with the occupation until the very last day if the interest of the German Reich so requires it. We know that the Rhineland would rather suffer the occupation than have Germany for its sake take upon herself obligations going beyond the Versailles Treaty. Neither do we demand evacuation because we are afraid lest it should in any way influence the intellectual and political ideas of the Rhineland. The Rhineland has never been so conscious of its close connexion with Germany as during the years of suffering through which it has passed. We demand evacuation above all because it is an insurmountable obstacle to a Franco-German understanding, and because the great ideas of the Locarno policy cannot make headway as long as this anomaly exists. If there is still scepticism about the

Locarno treaties, it is certainly not Germany who is responsible for that. The idea of an understanding with France is consistently gaining strength in Germany. . . .

A policy of peace and understanding with our neighbours, especially for Franco-German understanding, finds to-day the strongest supporters in Germany, in the ranks of all political parties from the Left to the Right.

In Great Britain an increasing number of voices are being raised to ask what the British troops are still doing on the Rhine. There can be no doubt that public opinion and the most distinguished representatives of Great Britain look upon the further occupation of the Rhineland as a calamity. When France co-operated with the Holy Alliance, the occupation of France by the Allied troops ceased because the two things seemed incompatible. What seemed a matter of course at the Congress of Aix-la-Chapelle must also be a matter of course in present circumstances.

Some time ago when it was suggested that an anticipated evacuation of the Rhineland under the terms of the Versailles Treaty, on the ground of Germany's fulfilment of her obligations, ought to be accompanied by anticipated German payments under the Dawes Plan, the German Government made it known at Thoiry, that it was prepared in principle to conclude an agreement on that basis. The subsequent development of economic conditions in France pushed these proposals into the background. I cannot say whether the discussion of these proposals will be revived when conditions change. We shall not reject on principle a discussion on questions concerning an observation of conditions in the frontier area for the remainder of the period provided for the occupation of the Rhineland. But we cannot leave the impression that Germany is prepared to purchase the curtailment of the Rhineland occupation with the acceptance of permanent measures which go beyond the Treaty of Versailles and which would be apt to perpetuate, not confidence between the nations, but distrust, and consequently hinder a real and effective policy of peace.

## 2. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON FEBRUARY 1, 1928

It is very characteristic to note in connexion with the Rhineland evacuation which we consider equivalent to the materialization of the idea of understanding, that the arguments advanced in the Paris debates against evacuation are at cross-purposes and, when taken separately, neutralize each other. It is stated as an argument against our complete disarmament, that the Treaty of Versailles has given

us the most up-to-date army. Can this really be said of the Versailles Treaty? This is analogous to the case when people in France talk about moral disarmament but at the same time ask for real guarantees against Germany.

We quite agree with all this, but not when such arguments are advanced in debates by French personalities who at the same time oppose the evacuation of the Rhineland. For these arguments are contradictory. On the other hand, it is declared that the Rhineland could be evacuated if Germany fulfilled her reparation obligations; but they add that such is not the case. I really cannot understand how those people picture the world to themselves. If that article of the Treaty of Versailles really meant the payment of the last million, then the reference to the evacuation of the Rhineland would have no sense at all. Germany, however, has left no room for any doubt as to her desire to obtain peace and security at the cost of the most strenuous efforts.

There is another argument, however, which is not expressed but which carries sufficient weight. French people are convinced at heart that the occupation is no longer necessary and that a menace to France is a practical impossibility; but at the same time they feel that the occupation is an asset, a trump card, which they are not willing to give up, as long as it has a potential value that can be bartered against advantages to be demanded. But I think that France should now realize that this business has lost all its significance from the standpoint of political power. The occupation of the Rhineland loses its importance from day to day. If we on our part considered the occupation of the Rhineland a political asset which might require certain satisfactions from Germany we would certainly be compelled to remain silent about it, as all talk would increase the value of the object. Our attitude on the question is dictated by positive considerations. We talk about evacuation because we should regret it if the great moment for a real understanding were not taken advantage of by the present generation in France.

### 3. SPEECH BY M. HYMANS IN THE BELGIAN SENATE ON FEBRUARY 21, 1928

Recent debates in foreign Parliaments have drawn attention to a grave problem, concerning which I intend to speak to the Senate.

M. Stresemann made two important speeches on the policy of the Reich. These speeches, though addressed more particularly to France, raise questions which are of direct concern to us and the solution of which requires the agreement of several interested Governments, and

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notably the Belgian Government. I wish to speak of the anticipated evacuation of the Rhineland.

I must say at once that no representations have been made to the Belgian Government on any side directly or indirectly concerning this question. I shall add that I have full assurance that if negotiations were to be opened with regard to it we should certainly be asked to take part in them and express our attitude. . . .

The French Government replied to Germany through M. Briand, declaring that it could only discuss the anticipated evacuation of the Rhineland in agreement with the Powers which are occupying the Rhineland in common, and consequently with Belgium. . . .

Belgium can only envisage with sympathy every effort for understanding aimed at consolidating a system of international reconciliation and political stabilization. But it will be understood that she enters with prudence upon a field in which her vital interests of security and reparations are involved. These two questions, so delicate and complex, were regulated by the Treaty of Versailles and by a series of subsequent agreements. One cannot touch one of its wheels without the risk of breaking the entire mechanism. All improvisations would be perilous. . . .

Undoubtedly the Government would not refuse to examine in the future any improvements as to the methods of applying the existing treaties; but it is understood that it reserves to itself the right to study them at the opportune time with all prudence and vigilance which its duties impose upon it.

M. Stresemann asked the occupying Powers to interpret the Treaty of Versailles according to the Locarno spirit. It is precisely by this spirit that Belgium has been inspired in her relations with Germany in spite of the sad remembrances of a hard and unlawful occupation and in spite of the continued strong feeling of national opinion. Since Locarno, the Belgian Government has taken a series of measures to diminish the inevitable inconveniences from the presence of foreign troops on German territory; ordinances of the Rhineland High Commission have been revoked or modified, in full agreement with the other occupying Powers; the ordinances remaining in force are applied in a very liberal spirit. Belgium is ready to continue this policy of loyalty and conciliation.

The occupation of the Rhineland territories was established by the Treaty of Versailles as a guarantee of the execution of the Treaty (Article 248), in particular the conditions of security resulting from Germany's disarmament and the demilitarization of the Rhineland zone, and finally as a guarantee of the reparation payments. This

guarantee, which has been neither suppressed nor diminished by the Locarno agreements, assures the execution of the Versailles Treaty with a force that should not be underestimated. Is it possible to substitute for this guarantee other means which will enable us to attain to the same objects with an equal certainty? It is for Germany, who persistently demands evacuation, to make suggestions in this respect. The day when Germany will formulate specific proposals concerning security and reparations, we shall examine them in concert with our former Allies in a spirit of objectivity and equity.

M. Briand said in his remarkable speech: 'The occupation does not agree with the taste of the French people.' It will not be astonishing when I say the same thing for the Belgian people. Neither have we, good heavens, any reason to relish the occupation. The day when the occupation of the Rhineland becomes useless, why should we hesitate to put an end to it?

But we must note the necessity not only for Belgium but for Europe to assure the observance of the demilitarization of the Rhineland territories. It appears indispensable to supervise the application thereof. This necessity is so evident that M. Stresemann himself admits it up to 1935. It will be for the Powers concerned to discuss the method of supervision that should be adopted.

#### 4. CHANCELLOR MÜLLER'S MINISTERIAL DECLARATION ON JULY 3, 1928

I shall mention first of all the question of evacuating the still occupied territories of the Rhine and in the Saar. With the unanimous support of the German nation, the Government is convinced that our claim for the immediate evacuation of these territories is justified. We must nevertheless declare that the occupying Powers have not yet drawn the logical conclusions from the political developments of recent years and that, for this reason, we have not yet reached any practical results in the ever-changing discussions of the evacuation problem.

We are only eighteen months away from the final period fixed by the Treaty for the evacuation of the second zone. We all know that there is no need to appeal to the loyalty and patience of the population in the occupied territories even if we must wait until the ultimate treaty date. But if this should really be the case, if the problem of evacuation should be allowed to run its course until the stipulated term, a great opportunity to promote the policy of understanding would be lost, in spite of the fact that all the necessary conditions have been fulfilled. The problem of evacuation is simple and clear. Only goodwill is needed to solve it.

5. SPEECH BY CHANCELLOR MÜLLER IN THE ASSEMBLY OF THE  
LEAGUE OF NATIONS, SEPTEMBER 7, 1928<sup>1</sup>

. . . If we are genuinely resolved to renounce force as a means of solving international differences, we shall be compelled to devote ourselves more intently to the search for means of achieving the pacific settlement of such disputes. If we are genuinely resolved to renounce war, that resolve cannot fail to exercise a decisive influence on our conception of armaments.

We fully appreciate all the hard work that has been done in pursuance of the resolution of the last ordinary session of the Assembly by the Committee on Arbitration and Security. That Committee has carefully explored the wide field assigned to it, and has revealed to the nations a variety of ways by which they may provide new guarantees of peace. Germany is glad to be able to assert that by the Locarno agreements, by the system of her arbitration treaties, and by the signing of the Optional Clause of the Hague Statute she for her part has carried out in advance the recommendations of that Committee. Nevertheless, Germany participated with the greatest zeal in the work of the Committee and endeavoured to introduce a new element into the discussion by submitting suggestions based upon an idea which in my view is fundamental, namely, that, in order to prevent war, it is not so important to organize war against war as to prevent any outbreak of hostilities.

Though we may hope that the dangers to which both the German suggestions and the proposals of the Committee based on those suggestions refer have become far more remote since the signing of the Paris pact, nevertheless this part of the Committee's work still appears deserving of the Assembly's attention. The League of Nations has been actively considering this aspect of the peace problem during the past year, but the same cannot be said of the other aspect of the problem, namely, the abolition of armaments.

I say frankly that I view the present situation of the disarmament question with serious concern. We have to face the incontestable fact that the prolonged discussions that have taken place so far at Geneva have not produced any positive results. For nearly three years the Preparatory Commission has been holding one session after another; but it has not seriously attacked, far less completed, the work assigned to it. In view of the important resolutions adopted at our session last year, we were justified in expecting that those

<sup>1</sup> Verbatim Record of the Ninth Assembly of the League of Nations, September 7, 1928.

resolutions would at last enable practical and immediate results to be achieved.

The much-discussed problem of the relations between security and disarmament had found a solution in the form of a compromise between the two opposing schools of thought, and so appeared to offer an assurance of practical results.

Our expectations have once more been disappointed. The President of the Council informed us in his opening speech that we were justified in entertaining fresh hopes, and one of the previous speakers has mentioned, as grounds for those hopes, the Paris pact and the agreement which has been concluded between the French and British Governments.

As regards the significance of the Paris pact, as far as disarmament is concerned, I have already agreed with that view. As regards the compromise to which I referred just now, I shall be glad if it too proves to be a suitable means of helping to solve the disarmament problem. However, the Assembly cannot be content to-day simply to say that there is still ground for hope. In my view, its most urgent duty is to adopt resolutions which can transform those hopes into realities.

Yesterday we heard, consecutively, two important speeches which revealed markedly divergent conceptions of the question of disarmament. It is one of the objects—and one of the main advantages—of our discussions to provide opportunities for us to learn each other's views, and it is far better to state frankly such of our differences as may still exist than to endeavour by one means or another to conceal them. But I confess I was greatly struck at hearing one speaker describe in impressive terms, which gave a remarkably true picture of the reality, the symptoms and the dangers of an unfettered armaments policy; whereas the other speaker, if I rightly understood him, maintained that undue importance was often attached to the problem of disarmament; that this problem was really of a secondary nature; that it was too early to expect immediate results, and that such results could only be looked for when individual countries were fully reassured as to their security, an assurance which as yet they did not feel.

I venture to hope that the latter view will not commend itself to the League of Nations; such an attitude would be the negation of all the resolutions adopted by the Assemblies of previous years. In any case, as the representative of Germany, I feel I am entitled and indeed bound in all frankness to maintain a directly contrary opinion.

Obviously a country like Germany, which has been completely

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disarmed, must feel keenly the failure of the disarmament discussions. I ask you to realize the effect on a people which, having by a mighty effort effected complete disarmament, still finds itself constantly subjected to the gravest insinuations and reproaches from certain quarters in foreign countries and is even accused of being a menace to the peace of the world, while it sees other countries steadily increasing their own armaments without blame or objection.

The disarmament of Germany cannot possibly continue to be a unilateral act, the outcome solely of the power wielded by the victors in the world war. The promise that Germany's disarmament would be followed by general disarmament must be fulfilled, and, finally, the article of the Covenant which incorporates that promise as a basic principle of the League of Nations must be carried into effect.

Whether this process is described as a reduction of armaments or simply as disarmament is, in my view, of little material consequence, since we all know perfectly well what is meant. Can there be any doubt that the failure of the League to solve this disarmament question is bound to produce the most serious consequences?

I am reluctant, as no doubt we all are, to consider any such consequences as even a remote contingency. The League must not fail in that task. The nations must not be disappointed in their hope that a time will come when their destinies will no longer be decided by guns and bayonets. The great advance which the world made in creating the League of Nations must not be changed to a retreat, with the certain result of a fall in the standard of international life; for it would be all but impossible to rekindle a second time the confidence thus destroyed.

Nor can I agree that so vast and difficult a problem is incapable of solution in a relatively short time. I will not remind you that immediate disarmament was not considered impossible for those who were vanquished in the world war; but I must emphasize the fact that Germany has never attempted to make any impossible demands.

From the outset she agreed that this problem should be solved step by step, and the resolution of 1926, as well as the confirmatory resolution of last year, clearly and definitely declared that the conditions necessary for accomplishing the first stage do in fact exist. The only point of importance is that we should realize effectively the resolutions of the last years.

That first stage can and must include an appreciable reduction of the present standards of armament, a reduction which would extend to armaments of all classes—military, naval and air—and would also provide for full and complete publicity in regard to all categories of

armaments. I would therefore urge the Assembly to adopt a definite decision with regard to the convening of a first disarmament conference, and to take steps to bring to an end immediately and without further delay the technical work of the Preparatory Commission.

#### 6. SPEECH BY M. BRIAND IN THE ASSEMBLY, SEPTEMBER 10, 1928<sup>1</sup>

. . . When speaking of disarmament it is easy enough to say: 'What prevents us from disarming?' We have set our faces towards peace: we became reconciled at Locarno, we have just made friends at Paris. Why should these events not lead to an immediate manifestation whereby the peoples of the world would cast away their weapons? If only it were so! But what statesman, I ask, what delegate in this Assembly, conscious of his responsibilities, would desire—would hope, rather—for such a dramatic demonstration? It could be done in words; great proclamations could be made, and I can readily imagine the enthusiasm such an outburst would arouse throughout the whole world.

But once the purely emotional side of the question were settled, there would still be the practical realities—painful, difficult realities—which would ruthlessly cast the dreamer from his pinnacle down into the abyss.

Whatever may have been said from this platform—and this much has been said—it is not true at the present time that armaments have increased since the war, or since the League was formed. I have carefully examined the question, and I say that it is not true.

There is perhaps one country in Europe—one that is not yet a member of the League—where this is the case; a country which flaunts its increase in armaments, its armies and its war material. That is the country which is ready to make an impressive dramatic gesture in favour of the disarmament of others, and wants that disarmament to be unreserved, complete, absolute. That country has just signed the Paris pact. It renounces war. What war? Does it simply mean the war which has stained almost every page of history with blood? Or the war which, as the handmaid of national ambition, leads one nation to attack another? That kind of war is outlawed. But there is another kind of war which, I think, does not thus stand condemned. That country, believing itself a prophet bearing the true gospel to all nations, sees it as a kind of holy war to enforce this truth upon the world.

<sup>1</sup> Verbatim Record of the Ninth Assembly of the League of Nations, September 10, 1928.

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Is that kind of war any nobler than the others? Perhaps. But the results it brings upon countries which resist or try to resist are no less terrible and no less sanguinary.

I say that if the delegates in this Assembly, faced by the problem of disarmament, ignored this mental attitude and this situation, it would really be because they had failed to visualize the full scope of their duty and their mission. But I am sure they will not.

I do not say that to place obstacles in the path we are to follow, but merely to show that we are right in feeling certain apprehensions.

The Chancellor of the Reich says: 'Look! We have signed these instruments, and now mistrust among the nations is gone.' That is true enough, and none is more pleased than myself. And none is more stoutly resolved than I to improve the moral aspect of the situation.

To do this, however, each must contribute his share. We must set aside, and we must try to persuade the Press to set aside, all that is likely to cause resentment or bring the nations into mutual antagonism.

We necessarily work under the watchful eye of the public, and, in consequence, the work we do is sometimes liable to become, as it were, warped. Loud voices come to our ears from without, insisting that, after all, our freedom of decision and of action is limited; and, if we let them, they would affirm that it is they who should say how far we are independent and what the limits of our work should be. I cannot agree. We must place ourselves beyond their influence and must at all costs prevent such opinions, which in no way represent the desires of the nations or the Governments, from setting up a spirit of irreconcilable enmity between our peoples, for that would hardly conduce to peace.

The Chancellor of the Reich has said: 'Disarmament? Look at Germany!' This must be examined. We are asked why, now that Germany is completely disarmed, the other nations do not disarm, too, and especially the French nation.

I say that, even though the problem may be stated precisely in these terms, such a position has not existed long. Barely two years ago the position was different, and if the work of disarmament, which is necessarily bound up with considerations of security, has been checked and retarded for several years, it has been because certain countries have not carried out certain obligations with all the good grace the situation demanded. There are men on the benches of the German delegation who have themselves felt bound to utter a public protest against the obstacles encountered in carrying out certain reductions in armaments.

Results have been obtained. I note this; but it has taken time and has needed effort. The Governments worked with a will, but, alas! Governments, whom the peoples fondly believe to be vested with invincible authority, who they imagine can implement their wishes to the full, are hedged round with stronger forces, age-long traditions, prejudices; and these will not always do what the Governments desire. These are forces to be reckoned with. At one moment, I know, vigorous action was necessary to reach the desired result. But it has been reached. Germany is disarmed, though not wholly disarmed, if we must speak frankly. No country, particularly a country such as Germany, can be wholly disarmed. She has an army of 100,000 men, but it is a very special kind of army. It is composed of officers and non-commissioned officers; it is what is called an army of cadres. And since there are, besides, immense resources of splendid, courageous men who proved their heroism during the war and who will still be able to serve for the next eight or ten years, we cannot say that Germany's disarmament is complete. The Chancellor himself would certainly not say so if he viewed the matter otherwise than from the standpoint of propaganda.

But there is something more. Germany has ceased to resist. She took some time to do so, but that, after all, is quite natural—the resistance encountered would probably have arisen in my own country or in any other. The military material she possessed during the war has been much reduced. Who would care to maintain that a great country, so powerfully equipped for peace—that is to say, for industrial development—would be at a loss to supply an army with war material? Germany has just shown the world a magnificent example of what she can do. Her mercantile marine was reduced to nil. Within a few years, making the utmost use of her productive powers, her constructive ability and the admirable skill of her people, she recreated it, and now the German merchant service is among the first in the world.

We know that Germany is resolved upon peace; we do not doubt the genuineness of her sentiments, or the sentiments of the men who govern her. Yet we cannot help wondering whether this special talent, these resources, this genius for construction, really would vanish into thin air if they had to be applied to the work of armaments. I cannot think they would. And, unhappily, the same machines that manufacture the instruments of peace can rapidly be turned to the production of war material. That remark, of course, applies equally to Germany or to any other country. What really matters is that the nations should loyally resolve not to use industrial equipment for that purpose.

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The dominating factor in this debate is, frankly, what I will call the spirit of peace, which has already enabled us to do so much, and will yet enable us to do more. For, despite all, I remain an optimist.

We must consider this spirit of peace as a fair but fragile flower of the world, which must never be allowed to come to harm. It withers soon. It can be killed easily—too easily. So little is needed. As you know, the peoples—and we must forgive them for it—are too often betrayed into mystic beliefs. They trust wholeheartedly, immeasurably, utterly. Those who lead them can plunge them into disappointment and despair and turn their faces away from the goal which but yesterday they passionately desired, simply by persuading them they would never reach it.

That we must not do. On the contrary, we must say to them: 'This is what we have done, this is what we are trying to do; but these are the difficulties which confront us.'

We must, in our common work for peace, feel ourselves fortified by the trust of the peoples. We must say nothing that may dishearten them and turn them from us. Otherwise we shall have anarchy; for our work here is work not merely for peace, but for social peace.

If the peoples lose their confidence in peace, if the 'Internationale' of nations which is met together here—and which unfortunately cannot follow any counsel of perfection, but must rest content with the second best—if this international Assembly fails with the failure of the nations' hopes, then we shall have to give place to others; and dire disasters may be awaited in Europe and throughout the world, disasters that will destroy all mankind's past achievements, all that makes up the glorious civilization of to-day. It is our imperative duty to win over the people of all nations to our cause, and to bid them be confident. You may say that this is not enough, that these are mere words. Very well! Here is an act which two countries, Great Britain and France, have just accomplished. We held different, irreconcilable views on the limitation of armaments. As you know, technical advisers, once they have entrenched themselves, are always very loath to abandon their position. If they happen to be military advisers, they are particularly hard to dislodge from behind their barbed wire. We, their Governments, were supporting them, urging them to go out and meet each other half-way, to humanize their views, to acquire the League spirit. Otherwise, the Disarmament Commission would have little prospect of success and there would be no possible chance of convening a Disarmament Conference by any given date. In our desire to assist the League in its work, we got together and made mutual concessions. After all,

that is what men must always do if they are really bent on reaching an agreement. We obtained, not a treaty, not an arrangement, I cannot even call it an agreement in the international sense, but a *rapprochement*, which we had no intention of insisting upon at all costs, but which enabled us to meet the Commission and to do useful work.

There was an act that helped forward the work of disarmament! But we had no luck! What an outcry there was about it next day! There must be something underhand about it, people said, that Great Britain and France should meet each other on such delicate ground! The bare announcement at once evoked the question: 'Against whom is it all directed?' They did not ask: 'For whom?' That was not thought of until much later, when bright sunshine had dispersed all the clouds. The first instinct was towards suspicion. There was talk of secret clauses, of a secret agreement, of some scheme that looked far from innocuous. But it was really a much simpler matter than that. As will be seen, we were actually trying to assist the Preparatory Commission in its work.

Like yourselves, we desire, we are resolved upon, a limitation of armaments. Article 8 of the Covenant requires it of us. Our respect for treaties is such that we should feel for ever dishonoured were we false to our treaty obligations. We stand by what is in the Covenant, not by what people would like to read into it. That in itself counts for much. The Covenant says that countries shall reduce their armaments to the lowest point consistent with national safety.

Well, there are important factors making for security. We must try to add to them, and we can go forward in the certainty of achieving definite results, provided we see clearly what can reasonably be done.

What gave particular cause for apprehension to the peoples of the world both from the financial standpoint and from the standpoint of war risks was the frenzied competition in arms between the great Powers. That disgraceful state of affairs no longer exists, thanks to the League and to the resistance which, through the League's influence, has arisen in the different countries. So strong is this resistance to-day that there is not a Parliament, not a Government in Europe which could—as in former times—propose, amid the acclamations of the people, enormous increases in the military or naval strength of the country.

Parliamentary records and Government publications show us that since the League has been in existence efforts have everywhere been made to reduce armaments.

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Take France herself. The period of military service there has been reduced by two-thirds, the number of effectives has been cut down very considerably. I cannot recall the exact figures at the moment, but I have often quoted them ; they are there and can be consulted. And no one would dare propose any considerable increase in credits.

I had the honour to be at the head of the Government when a voice was heard from across the Atlantic inviting the nations to a Conference for the reduction of naval armaments. I was the first Minister to respond to that call, and I went to the Conference myself. You all know what was done. France made the sacrifices necessary. Nay, more ; she did not even carry out the programme she had stipulated for herself. So that we must not look upon the worst side of things ; we should rather welcome the progress already made. It is to your honour, gentlemen, that you have year after year disseminated new ideas. These ideas have spread, have become rooted in men's minds and have at length won their ardent support.

When I attempted to carry out at home the undertaking I have mentioned, I was met with strong opposition. Opposition still exists, but it is concerned with matters of home politics. At that time the very thought of peace was said to be out of the question. I was told that all the ex-service men, all those who had fought and been disabled in the war, would cry out against me as a traitor. Soon afterwards, however, ex-service men from all over the country, and foremost among them those who had been mutilated on the battle-fields, unexpectedly announced with one accord that their sufferings and their sacrifices must not be allowed to be in vain, but must enable others to escape all that they themselves had undergone. After the voice of these men—who admittedly have every right to talk of peace—had been heard, those who had railed against me had to change their tone and mute their instruments. The sentiments of the ex-service men and disabled soldiers spread to the whole population. When recently I had the honour to preside at a Conference in my own country, I was happy to see beside me a brave man, a Minister for Foreign Affairs, whom I am very sorry not to see here to-day and who, faithfully and well, carried out a formidable task at a very difficult moment. I am sure you will all share my regret at his absence. The pact for the signature of which the Conference was convened was signed, it is true, before a small group of onlookers, but the streets were full of people. You should have seen the enthusiasm it evoked ; and the radiant faces, not only of women—that was to be understood—but of strong men, men who, if called upon, would once again prove their valour on the battlefield.

The peace movement is growing in strength among the peoples. Competition in armaments is no longer possible. To-day the race has certainly been stopped. To-morrow there will equally certainly be a limitation commensurate with the degree of security attained. If we must not disturb this atmosphere of peace, the more delicate problems should not be discussed at once.

### 7. THE GENEVA COMMUNIQUÉ OF SEPTEMBER 16, 1928<sup>1</sup>

Agreement reached on :

(1) The opening of official negotiations relating to the request put forward by the German Chancellor in regard to the early evacuation of the Rhineland.

[(2) Referred to Reparations.]

(3) The acceptance of the principle of the constitution of a commission of verification and conciliation ; the composition, mode of operation, objects and duration of such commission to form the subject of negotiations between the Governments concerned.

### 8. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON NOVEMBER 19, 1928

#### *Evacuation of the Rhineland*

Before the last Assembly of the League of Nations, the Government of the Reich informed the interested Governments through diplomatic channels that it intended to raise officially at Geneva the question of evacuation. I cannot consider as justified the criticism that the failure of this step should have been foreseen. We cannot deal with this question from the standpoint of tactics and opportuneness. The moment had come to remove this question from the realm of confidential and unofficial conversations and to assert in good and due form our claim before the occupying Powers. Not only Germany, but also very large foreign circles, consider the maintenance of foreign troops in German territory to be in flagrant contradiction with the course of international affairs in these last years. If we are convinced that we have a juridical, moral and political right to obtain immediate evacuation, this claim must be formulated not only in unilateral declarations before German Parliament but also in an official international form before the opposing party. We did not in the past, and we do not even to-day, have to fear lest an explanation, even a negative one, of the existing situation should in any way create a prejudice to the international position of Germany.

<sup>1</sup> *The Times*, September 17, 1928.

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I do not need to enter into the details of the discussions which took place on this subject in Geneva. Everything essential is known to the public. And as to the details, the Chancellor of the Reich gave an account of them to the Commission on Foreign Affairs in the course of a two-day debate. We are, I believe, unanimous in the judgement of the result.

It was a great disappointment to the German nation that we did not succeed in Geneva with our claim. The decisive arguments used by the Chancellor did not find the appreciation which we had to contend they deserved. Our adversaries maintained an attitude which we cannot recognize as legal and which from the political standpoint is contrary to the common interests of the nations concerned.

This attitude of the opposing party can in no way modify our point of view. Now that the interested foreign Governments have agreed to the open official negotiations concerning the question of evacuation, Germany will not cease to maintain that she has a claim to the immediate evacuation of the entire occupied territory, and that this claim is not dependent either upon the solution of other problems or upon any other conditions. Germany is wronged in her right as long as this claim is not fulfilled. We cannot therefore consider assuming, in return for evacuation, any political obligations extending beyond the treaty period of the occupation. Nor is it possible for us to purchase evacuation with financial compensations.

## V. REPARATIONS

### 1. SPEECH BY M. HYMANS IN THE BELGIAN SENATE ON FEBRUARY 21, 1928

. . . We also draw attention to the importance to Belgium of the reparation payments. No territory has been as much devastated and systematically deprived of its public and private riches as Belgium during the sinister period 1914–18. Thus, Herr von Brockdorff-Rantzau, at the time when he contested at Versailles Germany's responsibility for the outbreak of the war, recognized her responsibilities to Belgium and declared that full reparation was due to us.

We do not doubt the intention of the present German Government to fulfil the obligations which it has accepted. But the incessant polemics in the German press and public opinion concerning the reduction of German payments may cause anxieties as to the future. Thus, when Germany demands the cessation of the Rhineland occupation, which is one of the principal guarantees of the reparation

payments, we expect her to propose in return new guarantees. We are all the more justified in demanding them as we only invoke a sacred right and an absolute necessity for the economic restoration of the country. The financial crisis, which we have hardly got rid of, is a consequence of the war. We have overcome it by means of the most energetic efforts and at the cost of the greatest sacrifices; but the budgetary balance and the restoration of our economic means still depend upon the regular payment of reparations. The reparation question, therefore, is of the greatest importance to us.

### *Question of Mark Payments*

I am now led to renew a claim, the legitimacy of which cannot be contested. I wish to speak of the repayment of marks.

During the German occupation of Belgium about 6,000 million marks were left among the population, imposed at the forced rate of one franc and twenty-five centimes. This money had to be withdrawn at armistice by the Belgian Government at the original rate, which measure represented for us at that time 7,500 million francs, equivalent in gold to 6,397 million 500,000 gold francs. The marks which the Government now holds as a counterpart of this exchange are valueless paper. The withdrawal of the marks appeared at the liberation of the country to be an absolute necessity. The Government expected, as was its right, that the expenses of this operation would be inscribed in the Peace Treaty at the charge of Germany. On November 25, 1919, an agreement was reached whereby the German Government was to remit to the Belgian Government by instalments Treasury Bonds in marks to the value of 5,500 millions, between 1919 and 1929, and bearing 5 per cent. interest. This agreement was not ratified by the Reichstag. Negotiations were reopened between the two Governments in 1921 and resulted in a new draft convention, which was initialled by the German and Belgian delegates. But this convention also failed (owing to the non-ratification by the Reichstag). In these two conventions Germany recognized her obligation to repay the marks, but she has never put her recognition into practice.

It will be understood that we will ask Germany, in case of new agreements, for serious guarantees to assure the reparation payments, and, on the other hand, the Belgian Government insists on the repayment of the marks, an indisputable debt which Germany has not contested and which we do not intend to give up.

## 2. SPEECH BY SIGNOR MUSSOLINI ON JUNE 5, 1928

One of the fundamental provisions of the Treaty of Versailles which during the last years has been an object of continuous study, discussion and proposals, is the reparations. It is worth while to deal with this subject at some length.

The actual phase of the reparation problem which may be called the 'conciliatory' phase, in contra-distinction to the preceding 'litigious' phase, has now lasted four years. As you well know, this phase is regulated by the London Agreement of August 1924, and began on September 1 of the same year.

(Signor Mussolini then reviewed at length the Dawes Plan and Germany's reparation payments down to the present time. Referring to the conclusions in Mr. Parker Gilbert's report of December 10, 1927, he declared:)

The Italian standpoint in this matter is clear and well known. It is proved by a whole series of documents: diplomatic notes, public declarations, legislative provisions. It is based on the relation, or rather on the interdependence, of reparations and debts which is fundamental and unquestionable, so far as we are concerned. The existence of this relation between debts and reparations, which has never ceased from the time when these two problems came face to face, was confirmed in the historical development of these two problems: the debt settlements followed immediately the fixation, though only provisional, of the German payments; the amount of Italy's payments to Great Britain and to the United States corresponds to the amount which Italy, on the basis of the agreements in force, is to receive from Germany; and these payments are guaranteed independently through the functioning of the Foreign Debt Redemption Fund.

To draw a conclusion as to the actual state of the question, one can say with certainty only that the second phase of the reparation problem is coming to an end, since the idea of the revision of the Dawes Plan has now been generally accepted. But we have not yet sufficient data to know the date of and the manner in which the revision will be effected.

The question is exceedingly complicated. Besides the political and financial elements, which are intrinsically inherent in the problem of reparations and debts, there are considerations arising out of the problem of the Rhineland occupation and out of the effect of this occupation on the questions of security.

In conclusion, I want to express my personal and my Government's

opinion, that, if a way can be found to put the word 'End' to the chapter of history entitled 'Reparations', unquestionable relief will be brought to the economic life of Europe and of the world and a new important element for stabilizing peace will come into play.

### 3. THE GENEVA COMMUNIQUÉ OF SEPTEMBER 16, 1928<sup>1</sup>

Agreement reached on:

(2) The necessity for the complete and definite settlement of the reparations problem and for the constitution for this purpose of a committee of financial experts to be nominated by the six Governments.

[Paragraphs (1) and (3) referred to Rhineland Evacuation, see p. 49.]

### 4. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON NOVEMBER 19, 1928

The most important task of German foreign and financial policy at present is the reparation question. As you well know, the reparation question was raised at Geneva by the adverse party on the occasion of the evacuation negotiations, and it was then decided to settle this problem completely and definitely. With this object in view, a committee of experts is to be instituted, appointed by the six Governments concerned. The meaning and object of that decision can only be this: the last resolution of the Governments on the final settlement of the reparation question must rest on a basis which, free from political considerations, is drawn from the knowledge of the decisive factors of economic interdependence.

That is why the Governments which participated in the Geneva decision considered it wise first of all to appeal to authorized experts, who will submit to the Government proposals for transforming the provisional agreement of the Dawes Plan into a definite settlement. In the fulfilment of its mission, the Committee must feel itself independent of all political considerations and must be guided by the general interest in the reconstruction of world economy and in the security of international trade and credit. But, of course, the Governments retain the right to decide as they like with regard to the recommendations of the Committee of experts. For the decision as to the final settlement of a question, which will determine for a long time the economic development of the countries concerned, can be taken only by the responsible Governments themselves.

The procedure adopted at Geneva for the establishment of a committee of experts precludes at the present stage a discussion of the details of the reparation settlement. Of course, every Government is

<sup>1</sup> *The Times*, September 17, 1928.

free to determine for itself what, from its standpoint, the final settlement should be, and it is natural, in view of the importance of the problem, that the different Governments should already be actively occupied with it. But the moment for international negotiations on the details of the final settlement, and the political decisions to be taken by the Governments, will not come until the results of the committee's work become available. In the meantime, I must refrain from examining how the final settlement can be imagined from the German standpoint objectively in its details.

The German Government for the moment can only lay emphasis on one general principle, namely, that it will be possible to speak of a real solution of the reparation problem only if it does not exceed the economic capacity of Germany, that is to say, if it enables us to fulfil our obligations steadily, by our own economic efforts, and without endangering the nation's standard of living.

Some time ago, after certain unofficial conversations, we informed the other five Governments of our standpoint as to the manner in which the Geneva decision concerning the institution of the committee of experts could be best and most quickly applied. Exchanges of views on this subject are still in progress among the Governments. I hope they will soon reach a satisfactory concrete result. No one in Germany or abroad can doubt any longer the importance, not only for Germany but for the whole world, of a satisfactory conclusion of the reparation problem. So long as there is no final solution corresponding to the economic capacity, there will subsist a dangerous uncertainty for the economic and financial life. Such a state of uncertainty will necessarily hinder the return to normal relations in international trade and credit. If a final solution is found which all the parties concerned can freely recognize and accept as economically reasonable, then the most important step towards the liquidation of the direct economic consequences of the world war will have been taken.

I note with satisfaction that only a few days ago it was admitted in principle by an authoritative British quarter that the evacuation of the occupied territories and the settlement of the reparation problem were two entirely distinct matters. We hope that this attitude will take a practical turn and finally lead to the liberation of Germany from the foreign troops. The foreign countries concerned must also realize that even from the standpoint of their interests, the further maintenance of the occupation represents only an apparent advantage without any practical value to them. Its effect is that the occupation stands in the way of trustful co-operation in questions of European policy.

There is no doubt that in the eyes of the whole German people,

without distinction of party, the course taken so far by the evacuation negotiations appears as a reaction, which is bound seriously to weaken our confidence in the goodwill of the opposing party. This applies even to those countries which, while declaring in principle that they have no interest in the further maintenance of the occupation, have so far not put their view into practice. The friendly, and in some cases cordial, words which are addressed to Germany lose their echo in Germany, because a friendly co-operation of Germany with foreign countries cannot be morally established as long as this friendship is symbolized in the eyes of the German people by the arms of foreign occupation forces. Nor does it help to remove the war spirit and promote peaceful co-operation when on Armistice Day reviews of foreign troops are organized on German territory, with the object of showing the German people that it is the vanquished of the world war. To my great regret, I must note that even the spirit of the occupation forces in the Rhineland has undergone a reaction which has naturally also produced an effect on the German population of the occupied territories. Every family there has borne during the ten years of occupation incessant burdens and sufferings that are enough for a generation, and they have a right to expect that this state of affairs should come to an end.

The course of the Geneva negotiations has provoked, in the public mind, considerations which, in their most advanced form, amount to a condemnation of the German foreign policy followed during these last years as entirely wrong. Although I myself had to admit just a moment ago that this foreign policy received a setback, I consider it necessary to defend here publicly the fundamental line of this policy and the logical course of this line. At the basis of the criticism of this policy is the reproach that we are chasing the phantom of Great Power status, which leads us into a false alignment with real Great Powers. One sees in this policy ties which bind us to the great Western Powers. One sees in our policy anxious considerations about the state of feeling and the general atmosphere, and it is proposed to replace this policy by a policy of cool watchfulness over German right and German interests. It has been added that the essential thing for us was to keep ourselves free and to seek support wherever it was to be found.

##### 5. THE OFFICIAL COMMUNIQUÉ OF DECEMBER 22, 1928<sup>1</sup>

M. Poincaré and Herr von Hoesch, the German Ambassador in Paris, have arrived at the following agreement, to which the other

<sup>1</sup> Official text issued by the Reparation Commission.

Governments concerned have assented, about the constitution of the Committee of Experts which is to deal with the settlement of the Reparations problem, in accordance with the decision reached at Geneva on September 16 last.

1. It is highly desirable in the common interest that, in addition to the experts to be appointed by each of the six Governments which were parties to the decision at Geneva, nationals of the United States of America should take part in the work of the Committee.

2. The Committee, following the precedent of the first Committee of Experts which was set up in November 1923, must evidently be composed of independent experts possessing international reputation and authority in their own country, but these experts will not be bound by instructions from their Governments. The number of members shall be two for each country, but it is contemplated that the members can appoint deputies to assist them.

3. The Committee shall meet in the first instance in Paris as soon as possible. It will be left to the Committee to take a final decision as to its place of meeting.

4. The Committee on its appointment shall receive from the six Governments, in accordance with the Geneva Agreement of September 16 last, a mandate 'to draw up proposals for a complete and final settlement of the Reparation problem'. These proposals should provide for a settlement of the obligations resulting from existing treaties and agreements between Germany and the creditor Powers.

The Committee shall make its report both to the Governments which took part in the Geneva decision and to the Reparation Commission.

5. The appointment of the experts shall take place in accordance with the following procedure:

The experts of the creditor Powers which took part in the Geneva decision shall be chosen by the Governments of these Powers and shall be appointed, as those Governments may prefer, either by the Governments themselves or by the Reparation Commission.

The German experts shall be appointed by the German Government.

Steps are being taken by the six Governments concerned to ascertain the best means of securing the participation of American members.

## VI. COMMUNIST INTERNATIONAL

### NEW STATUTES ADOPTED BY THE SIXTH CONGRESS OF THE THIRD INTERNATIONAL. JULY 17-SEPTEMBER 1, 1928<sup>1</sup>

#### I. Name and Objects.

1. The Communist International—the International Workers' Association—is a union of Communist Parties in various countries; it is a World Communist Party. As the leader and organizer of the world revolutionary movement of the proletariat and the bearer of the principles and aims of communism, the Communist International strives to win over the majority of the working class and the broad strata of the property-less peasantry, fights for the establishment of the world dictatorship of the proletariat, for the establishment of a World Union of Socialist Soviet Republics, for the complete abolition of classes, and for the achievement of Socialism—the first stage of Communist society.

2. The various Parties affiliated to the Communist International are called the Communist Party of . . . . . name of country (Section of the Communist International). In any given country there can be only one Communist Party affiliated to the Communist International and representing its section in that country.

3. Membership in the Communist Party and in the Communist International is open to all those who accept the programme and the rules of the given Communist Party and of the Communist International, who join one of the basic units of the Party, actively work in it, abide by all decisions of the Party and of the Communist International, and regularly pay Party dues.

4. The basic unit of the Communist Party organization is the nucleus in the place of employment (factory, workshop, mine, office, store, farm, &c.) which unites all the Party members employed in the given enterprise.

5. The Communist International and its sections are built up on the basis of democratic centralism, the fundamental principles of which are: (a) election of all the leading committees of the Party, subordinate and superior (by general meetings of Party members, conferences, congresses and international congresses); (b) periodical reports by leading Party committees to their constituents; (c) decisions of superior Party committees to be obligatory for subordinate committees, strict Party discipline and prompt execution of the

<sup>1</sup> Translation prepared for the Information Service on International Affairs.

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decisions of the Communist International, of its leading committees and of the leading Party organs.

Party questions may be discussed by the members of the Party and by Party organizations until such time as a decision is taken upon them by the competent Party committees. After a decision has been taken by the Congress of the Communist International, by the Congress of the respective sections, or by leading Committees of the Comintern, and of its various sections, these decisions must be unreservedly carried out, even if a section of the Party membership or of the local Party organizations is in disagreement with it.

In cases where a Party exists illegally, the superior Party committees may appoint the subordinate Committees and co-opt members on their own committees, subject to subsequent endorsement by the competent superior Party committees.

6. In all non-Party workers' and peasants' mass organizations and in their leading committees (in trade unions, co-operative societies, sport organizations, ex-service men's associations, municipal bodies and in parliament), even if there are only two Party members in such organizations and bodies, Communist fractions must be formed for the purpose of strengthening the Party's influence and for carrying out its policy in these organizations and bodies.

7. The Communist fractions are subordinated to the competent Party bodies.

## NOTE:

1. Communist fractions in international organizations (Red International of Labour Unions, International Class War Prisoners Aid Society, International Workers Relief, &c.) are subordinate to the Executive Committee of the Communist International.

2. The organizational structure of the Communist fractions and the manner in which their work is guided are determined by special instructions from the Executive Committee of the Communist International and from the Central Committee of the given sections of the Comintern.

***II. The World Congress of the Communist International.***

8. The supreme body of the Communist International is the World Congress of representatives of all Parties (Sections) and organizations affiliated to the Communist International.

The World Congress discusses and decides programme, tactical and organizational questions connected with the activities of the Communist International and of its various sections. Power to alter the programme and rules of the Communist International lies exclusively with the World Congress of the Communist International.

The World Congress shall be convened once every two years. The date of the Congress and the number of representatives from the

various sections to the Congress shall be determined by the Executive Committee of the Communist International.

The number of decisive votes to be allocated to each section at the World Congress shall be determined by a special decision of the Congress itself, in accordance with the membership of the given Party and the political importance of the given country. Delegates to the Congress must have a free mandate ; no imperative mandate can be recognized.

9. Special Congresses of the Communist International shall be convened on the demand of Parties which at the preceding World Congress had an aggregate of not less than one-half of the decisive votes.

10. The World Congress elects the Executive Committee of the Communist International (E.C.C.I.) and the International Control Commission (I.C.C.).

11. The head-quarters of the Executive Committee are determined by the World Congress.

### *III. The Executive Committee of the Communist International and its Subsidiary Bodies.*

12. The leading body of the Communist International in the period between the Congresses is the Executive Committee, which gives instructions to all the sections of the Communist International and controls their activity.

The E.C.C.I. shall publish the Central Organ of the Communist International in not less than four languages.

13. The decisions of the E.C.C.I. are obligatory for all the sections of the Communist International and must be promptly carried out. The sections have the right to appeal against decisions of the E.C.C.I. to the World Congress, but must continue to carry out such decisions pending the decision of the World Congress.

14. The Central Committees of the various sections of the Communist International are responsible to their respective Party Congress and to the E.C.C.I. The latter has the right to annul or amend decisions of Party Congresses and of Central Committees of Parties, and also to make decisions which are obligatory for them (Cf. Par. 13).

15. The E.C.C.I. has the right to expel from the Communist International entire sections, groups and individual members who violate the programme and rules of the Communist International or the decisions of the World Congress and of the E.C.C.I. Persons and bodies expelled have the right of appeal to the World Congress.

16. The programmes of the various sections of the Communist

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International must be endorsed by the E.C.C.I. In the event of the E.C.C.I. refusing to endorse a programme, the section concerned has the right to appeal to the World Congress of the Communist International.

17. The leading organs of the press of the various sections of the Communist International must publish all the decisions and official documents of the E.C.C.I. These decisions must as far as possible be published in the other organs of the Party press.

18. The E.C.C.I. has the right to accept the adherence to the Communist International of organizations and Parties sympathetic to Communism, such organizations having an advisory vote.

19. The E.C.C.I. elects a Presidium, responsible to the E.C.C.I., which acts as the permanent body carrying out all the business of the E.C.C.I. in the interval between the meetings of the latter.

20. The E.C.C.I. and its Presidium have the right to establish permanent bureaux (Western European, South American, Eastern and other bureaux of the E.C.C.I.) for the purpose of establishing closer contact with the various sections of the Communist International, and in order to be better able to guide their work.

NOTE.—The scope of the activities of the permanent bureaux of the E.C.C.I. shall be determined by the E.C.C.I. or by its Presidium. The sections of the Communist International which come within the scope of activities of the permanent bureaux of the E.C.C.I. must be informed of the powers conferred on these bureaux.

21. The sections must carry out the instructions of the permanent bureaux of the E.C.C.I. They may appeal against the instructions of the permanent bureaux to the E.C.C.I. or to its Presidium, but must continue to carry out such instructions pending the decision of the E.C.C.I. or of its Presidium.

22. The E.C.C.I. and its Presidium have the right to send their representatives to the various sections of the Communist International. Such representatives shall receive their instructions from the E.C.C.I. or from its Presidium, and shall be responsible to them for their activities. Representatives of the E.C.C.I. have the right to participate in meetings of the central Party bodies, as well as of the local organizations of the sections to which they are sent. Representatives of the E.C.C.I. must carry out their mandate in close contact with the Central Committee of the section to which they are sent. They may, however, speak in opposition to the Central Committee of the given section, at congresses and conferences of that section, if the line of the Central Committee in question diverges from the instructions of the E.C.C.I. Representatives of the E.C.C.I. are especially required to supervise the execution of the decisions of the

World Congresses and of the Executive Committee of the Communist International.

The E.C.C.I. and its Presidium also have the right to send instructors to the various sections of the Communist International. The powers and duties of instructors are determined by the E.C.C.I. to whom the instructors are responsible in their work.

23. Meetings of the E.C.C.I. must take place not less than once every six months. A quorum must consist of not less than one-half of the membership of the E.C.C.I.

24. Meetings of the Presidium of the E.C.C.I. must take place not less than once a fortnight. A quorum must consist of not less than one-half of the membership of the Presidium.

25. The Presidium elects the Political Secretariat, which is empowered to take decisions and which also prepares questions for the meetings of the E.C.C.I. and of its Presidium, and acts as their executive body.

26. The Presidium appoints the editorial committees of the periodical and other publications of the Communist International.

27. The Presidium of the E.C.C.I. sets up a Department for Work among Women Toilers, permanent committees for guiding the work of definite groups of sections of the Communist International (Lander Secretariats), and other departments necessary for its work.

#### *IV. The International Control Commission.*

28. The International Control Commission investigates matters concerning the unity of the sections affiliated to the Communist International and also matters connected with the Communist conduct of individual members of the various sections.

For this purpose the I.C.C.:

(a) Examines complaints against the actions of Central Committees of Communist Parties lodged by Party members who have been subjected to disciplinary measures for political differences;

(b) Examines such analogous matters concerning members of central bodies of Communist Parties and of individual Party members as it deems necessary, or which are submitted to it by the deciding bodies of the E.C.C.I.

(c) Audits the accounts of the Communist International.

The International Control Commission must not intervene in the political differences or in organizational and administrative conflicts in the Communist Party.

The headquarters of the I.C.C. are fixed by the I.C.C. in agreement with the E.C.C.I.

*V. The Relationship between the Sections of the Communist International and the E.C.C.I.*

29. The Central Committees of sections affiliated to the Communist International, and the Central Committees of affiliated sympathizing organizations, must send to the E.C.C.I. the minutes of their meetings and reports of their work.

30. Resignation from office by individual members or groups of members of Central Committees of the various sections are regarded as disruption of the Communist movement. Leading posts in the Party do not belong to the occupant of that post, but to the Communist International as a whole. Elected members of the central leading bodies of the various sections may resign before their time of office expires, only with the consent of the E.C.C.I. Resignations accepted by Central Committees of sections without the consent of the E.C.C.I. are invalid.

31. The sections affiliated to the Communist International must maintain close organizational and informational contact with each other, arrange for mutual representation at each other's conferences and congresses, and, with the consent of the E.C.C.I., exchange leading comrades. This applies particularly to the sections in imperial countries and their colonies, and to the sections in countries adjacent to each other.

32. Two or more sections of the Communist International which (like the section in the Scandinavian countries and in the Balkans) are politically connected with each other by common conditions of struggle, may, with the consent of the E.C.C.I., form federations for the purpose of co-ordinating their activities; such federations shall work under the guidance and control of the E.C.C.I.

33. The sections of the Comintern must regularly pay affiliation dues to the E.C.C.I., the amount of such dues to be determined by the E.C.C.I.

34. Congresses of the various sections, ordinary and special, may be convened only with the consent of the E.C.C.I.

In the event of a section failing to convene a Party Congress prior to the convening of a World Congress, that section, before electing delegates to the World Congress, must convene a Party conference, or plenum of its Central Committee, for the purpose of preparing the questions for the World Congress.

35. The Young Communist International is a section of the Communist International with full rights, and is subordinate to the E.C.C.I.

36. The Communist Parties must be prepared for transition to

illegal conditions. The E.C.C.I. must render the Parties concerned assistance in their preparation for transition to illegal conditions.

37. Individual members of sections of the Communist International may pass from one country to another only with the consent of the Central Committee of the section of which they are members.

Communists changing their domicile must join the section in the country of their new domicile. Communists leaving their country without the consent of the Central Committee of their section must not be accepted into other sections of the Communist International.

## B. EUROPE

### I. BELGIUM

#### 1. SPEECH BY M. HYMANS ON FOREIGN POLICY IN THE SENATE ON FEBRUARY 21, 1928

THE external policy of Belgium is a loyal and continued policy, determined by the geographical position of the country and by the conditions of its international life. It is a policy of peace governed by the idea of security, and a policy of economic expansion. These two ideas are bound together. Progress and economic development can only be had in security and peace.

##### *Relations with Holland*

Upon returning to the Ministry of Foreign Affairs, I find before me questions which I had seen in 1919, which I took up again in 1924, and to the solution of which MM. Jaspar and Vandervelde as well as I have successively given attention. One question of immediate concern to us which has not yet been settled definitely is that of our relations with Holland.

It seemed that the conclusion of the treaty of 1925 was going to lead to a happy understanding between the two countries. M. Van Karnebeek invited me to come to The Hague to sign the treaty: the Dutch and the Belgian press exchanged sympathetic expressions. Unfortunately, after a lapse of time, opposition to the treaty broke out in Holland and the atmosphere became troubled. The treaty, after having been adopted by the Second Chamber of the States-General, was rejected by the first Chamber.

When M. Van Karnebeek fell, M. Beelaerts van Blokland informed us that he would take up the question of the treaty and submit new proposals to us. We hope we shall receive them in the near future. We shall examine them with the thought of assuring to Belgium the communications with the sea and the Rhine, which are necessary to the development of our fluvial and maritime trade; we shall examine them with the desire to establish relations of cordiality and co-operation between the two countries. I am convinced that the Dutch Government understands that the question which we have been discussing for nearly eight years cannot remain stagnant and that the impatience of public opinion must be satisfied.

*Relations with Luxemburg*

The relations established by the economic union with the Grand Duchy of Luxemburg are becoming closer and strengthened. The working of the economic union was bound to require certain adjustments which time and experience had shown to be necessary. The committee of experts drew up a programme aimed at uniting the railway lines of the Grand Duchy and placing the operation thereof in the hands of an administrative company which would include a French representative in addition to the representatives of Belgium and Luxemburg. The two Governments agreed that this programme could serve as a basis for official negotiations. Discussions between them have already been opened.

I have recently had cordial conversations with M. Bech, the eminent statesman who directs the Grand Ducal Government.

I have reason to believe that we shall soon arrive at a solution which will complete and strengthen the régime of solidarity and co-operation established by the treaty of economic union.

*Commercial Negotiations with France*

About a year ago the French Government submitted to Parliament a bill for the general revision of the customs tariff. This project was to serve as a basis for the negotiations between France and Germany. Its aim was, on the whole, to raise considerably the level of protection. And therein lay a grave menace to our trade.

The condition of our trade with France for several years already has left much to be desired. This applies in particular to the two principal branches of our production: the textile industry and the mechanical industry.

The French customs project was likely to aggravate the already critical situation. We called that to the attention of the French Government, and discussions were started in Paris. . . .

The discussions, opened in April, were continued until July. They were reopened at the beginning of October and were carried on very actively until the middle of January, when they came to a deadlock. The Belgian and Luxemburg Governments, in close agreement, sent to Paris a note which justified their claims and emphasized the importance of the interests at stake. The French Government replied in a conciliatory spirit.

Discussions were continued in Paris all last week. I am pleased to announce to you that after many difficulties the final agreement is on the point of being signed. I hope it will guarantee our vital

interests and, by an equitable adjustment of our trade relations with France, will strengthen the bonds of friendship which unite us to her.<sup>1</sup>

### *Economic Expansion*

The development of our economic expansion is one of the principal aims of our foreign policy. Our economic activity, more than that of any other country, depends upon foreign countries. Our prosperity depends upon the hard struggle that we must carry on in foreign markets. The principal task of our diplomatic and consular representatives in most countries is to aid our business men in this struggle.

The latest results of our commercial exchanges with foreign countries are encouraging. Our trade balance has not ceased improving, and this is a comforting sign. The value of our exports in proportion to the value of our imports was in 1913, for Belgium alone, 73·6 per cent. During the last four years it increased for the economic union of Belgium and Luxemburg to 79·2 per cent. in 1924, 81·6 per cent. in 1925, 84·8 per cent. in 1926, and finally 91·2 per cent. in 1927.

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### *Arbitration, Security and Disarmament*

The question upon which all efforts are concentrated is the triple question of arbitration, security and disarmament. For many years it has been the subject of profound deliberations. Two attempts at the solution of this problem have failed. . . .

We hope that the system of conciliation and arbitration will be extended. Belgium has adhered to the 'optional clause' of obligatory arbitration in the statute of the Permanent Court at The Hague. She has moreover concluded numerous bi-lateral treaties which testify her fidelity to these principles. We still think that the most effective system of security lies in the conclusion of regional pacts of non-aggression, arbitration and mutual assistance. . . .

In spite of our efforts and our hopes in the work of international co-operation, must we abandon ourselves to the dream of perpetual peace? We must look at things squarely in the face. War has become more difficult and it would lead to frightful catastrophes. But war is possible. Eastern Europe is less stable than Western Europe. There

<sup>1</sup> The Franco-Belgian commercial agreement was signed on February 23, 1928.

<sup>2</sup> *Evacuation of Rhineland and Reparations.* For these sections see *supra*, pp. 37, 50.

are in the world various danger spots, various sources of conflicts and anxieties. That is why the most pacific countries—and there is none more pacific than Belgium—must look after their own defence.

A few days ago M. Paul-Boncour said to a conference: ‘. . . It is a hypocrisy to pretend to believe that war has become impossible.’ What M. Paul-Boncour has said to France, we have all the more reason to say for Belgium. Let one only think of our history, our geographical situation, our vulnerable contours, the Limburg gap, the small depth of the country, which could be completely over-run in a few days up to the sea, if we only did not defend our frontiers. Belgium could not neglect her defence and entrust it to the assistance of other countries without compromising her destiny, losing her rôle and seeing her dignity diminished in the eyes of nations.

## 2. SPEECH BY M. HYMANS ON FOREIGN POLICY IN THE SENATE ON JULY 6, 1928

### *Relations with Holland*

Speaking of the relations with Holland, he said:

‘Last April, in reply to an interpellation at the States General, the Foreign Minister of the Netherlands declared that the initiative of resuming negotiations depended on Holland. He expressed the hope not only of an agreement but also of its ratification before the 1929 elections.

In order that this hope, which is also my hope, may be realized, it is essential to examine at once the disputed problems. I have asked our Minister at The Hague to call Jonkheer Beelaerts’ attention to this and to tell him that the Belgian Government would be grateful to know as soon as possible the principle of the suggested solutions. The Foreign Minister of Holland has just answered me confirming his previous declarations.

The end we are pursuing is to secure for Antwerp the guarantees which are indispensable to it. Our port, one of the first on the Continent, cannot develop unless it has easy communications with the sea and with the Rhine. Now, the access to it from either side is subject to the sovereignty of a foreign state. Belgium is compelled to request this State not to impede the measures upon which the prosperity of the Belgian port depends. National interest in this case coincides with international interest. The Scheldt is a great traffic-way open to all nations, many of which use it constantly. All will benefit by the improvement which we desire to effect.

Now, the principal ways of access to Antwerp are not only subject

to the sovereignty of a foreign State, but they are of no immediate interest to that State. Yet every project of improvement arouses in the neighbouring country the opposition of a rival port, in which one sees a kind of protectionism that is contrary to modern international law.

The Act of Vienna of 1815 established the principle of the freedom of navigation on international rivers. It makes it a duty for the riparian States to do the necessary work on the bed of the rivers so that navigation will not be impeded. The Congress of Vienna specified those obligations expressly as regards the Scheldt. The Treaty of 1839 reproduced these provisions in article 9 and guaranteed the maintenance of free and direct communications with the Rhine. In the eyes of the Powers which drew up the Treaty, these provisions were of interest to all Europe.

Although the intentions of the Powers had been clearly stated, the declared principles were applied only in part. The provisions of the Treaty of 1839 were interpreted in a restricted sense and were, consequently, insufficient in practice.

The claims of Belgium, which the Treaty of April 3, 1925, confirmed, include:

- (a) The organization of the administration of the river services in such manner that the necessary measures for navigation cannot be jeopardized by the State which has no immediate interest in them;
- (b) The duty resting on Holland to maintain the waterway, taking into account the new requirements resulting from the progress of naval construction and the growing intensity of traffic;
- (c) The building of lateral or complementary waterways in order to make up the deficiencies in the actual communications with the Rhine, which are precarious and difficult.

The claims are most assuredly dictated by national interest. But does any one of them conflict with the general interest of international navigation? Is it not in the interest of all nations which have a share in the commercial and maritime traffic of Europe that the Scheldt be kept in a perfect state of navigability and that good communications with the Rhine be assured? Moreover, not a single one of these claims goes beyond the principles whose legitimacy has been recognized by the recent development of international law.

Thus, while the Belgian claims conform not only to the spirit of the Treaty of 1839, but also to the economic needs and to international law, the opposition to them in certain quarters tends, by preventing the improvement of waterways which are used by all, to favour one port to the prejudice of the development of the rival port. The hard

experiences of the post-war period have broadened the views of international opinion and have taught it the necessary solidarity of economic interests.

The interests of Antwerp and Rotterdam are not necessarily opposed. On the contrary, if they are well understood, they appear to be complementary. These two ports hold a privileged position in Europe. They must unite their efforts in order to attract an increasing traffic. The prosperity of one depends on the prosperity of the other. The nature of things commands that Belgium and Holland should get together in a common policy in questions of transport and communication. The Governments must choose between this policy of co-operation and a policy under which each State would look only after its own interests without any consideration of its neighbour.

Of these two policies, our preference goes clearly to the first. The Dutch Government has shown on many occasions that it was of the same view.

When, more than a year ago, the Dutch Parliament rejected the Treaty of April 3, 1925, we interpreted its vote only as a sign that Dutch opinion had not considered the Treaty as satisfactory, and not that it was opposed to any treaty at all. Moreover, when the Great Powers in 1919 affirmed in Paris the necessity of revising the treaties of 1839, Holland adopted their view and consented to take part with them and Belgium in negotiating new treaties. The outcome of this negotiation was the Treaty of 1925, which was only an adaptation of the draft treaty prepared in 1920.

After the rejection of the treaty of 1925, M. Beelaerts promised to take the initiative in new negotiations. Nevertheless, time is passing ; events are following their course ; the Governments are faced with the necessity of taking new decisions. We have drawn up a programme of public works. The direct canal between Antwerp and Liege is the essential point of this programme. The Department of Bridges and Highways has taken up the work and will actively push it ahead.

The time is coming when we must decide if this new waterway will be built in the co-operation of our interest with that of our neighbours or simply in taking account only of our own interest. On the other hand, the revision of the Mannheim Convention, which regulates the navigation of the Rhine, is being carried on conformably to the provisions of the Versailles Treaty. There also the decision could not be deferred any longer.

Belgium wishes to follow a policy of cordial co-operation with Holland, which, by taking account of their reciprocal needs, will assure the development of traffic and the prosperity of their ports.

This policy is possible ; it conforms most to the real interests of the two countries ; it is commanded by their geographical situation. But its realization does not depend on Belgium alone. If to-day it were to appear impossible, the atmosphere would change and a bitter feeling would exist in our relations.

Yet, in default of friendly co-operation, we could not renounce our essential interests. We should have to pursue our policy of communication and transport, taking account only of our own needs and, on the other hand, we should have to seek in the international domain the guarantees which we could not find in a bi-lateral agreement.

But let us be confident. The moderate claims which we put forward will finally prevail, for they conform to international interest and accord with the evolution of economic ideas and of law.

#### *Relations with Luxemburg*

As to our relations with the Grand Duchy of Luxemburg, I am happy to say that the friendship upon which our economic union rests has not ceased increasing. We have carried out the various proposals of the Commission of Experts, which, as you know, met in 1927 to study the means for solving certain difficulties that arose from the application of the treaty of union.

An agreement in principle has also been reached in other questions, the solution of which will take place in the near future.

The conversations concerning the question of railways and the question of alcohol were not very active during the period preceding the legislative elections in the Grand Duchy. But now that the elections are over, the negotiations have been resumed and are well on the way to an early solution.

The cordiality of the relations between Belgium and Luxemburg was shown on various occasions during the last months by the brilliant participation in the Grand Duchy at different economic manifestations organized in Belgium.'

#### *Evacuation of the Rhineland and Reparations*

M. Hymans then dealt with the question of the Rhineland and the reparation problem. He recalled the declarations made at the beginning of the year by Herr Stresemann, M. Briand and himself, and then said :

'Since February the question has not changed. It has given rise to many commentaries and interesting publications, but it has remained in the domain of studies and hypotheses. No new diplomatic act has taken place since that time. Moreover Belgium has the assurance

that she will be called upon to take part in any discussion among the interested Powers concerning these delicate and complex problems.

It will be understood that I am recalling only the essential points of our claims. Belgium has vital interests to safeguard: first, the interests of her security and those resulting from reparations, to which she is entitled for the damages unjustly inflicted upon her.

Our position concerning this problem is very clear. It is based on the two international agreements which we signed: the London agreement which put the Dawes plan into force in 1924, and the Washington agreement which fixed in 1925 the conditions of payment of our debt to the United States. Our budgetary programme is built for many years on these two agreements; the one fixes the amounts we are to receive; the other fixes the sums we are to pay; between the two there is a difference in favour of Belgium which at present amounts to more than \$18,000,000, and which in a few years will reach \$28,000,000, but will decline progressively to \$17,000,000 in 1935-6.

This credit balance is far from covering the heavy charges which the war has imposed upon us. But it constitutes the only compensation which the treaties assure to us, and we must, therefore, maintain it. The country would assuredly reject any attempt to reduce it.

We have, moreover, another material interest to defend: it is the question of securing the settlement of a German debt, the legitimacy of which has never been contested—the paper mark debt. We shall not give up our claim to this debt.'

#### *Anti-War Pact*

Speaking of the proposed pact for the outlawry of war, M. Hymans said:

'The project has been communicated to us by the American Ambassador. I immediately expressed my sympathy with the principle of the American proposal, but I remarked at the same time on the necessity of maintaining in their entirety the Covenant of the League and the Locarno Treaty, which constitute the bases of our international status and the guarantees of our security. Since that time, the Great Powers have expressed their adherence in principle and with reservations similar to our own.'

After reviewing the latest development of the negotiations, M. Hymans said:

'We are now examining the new American project with the greatest and most cordial attention. I hope the American initiative will soon result in a general understanding and in a solemn pact which will constitute a new guarantee of international order and peace. . . .'

## II. CZECHOSLOVAKIA

### SPEECH BY M. BENES ON OCTOBER 4, 1928, IN THE SNĚMOVNA

In my last exposé I dealt at some length with the efforts for strengthening world peace, with the so-called Briand-Kellogg Pact, and with other matters connected with those efforts. I spoke about the work of the League of Nations and about the preparation for the solution of the three important questions which are of actual interest in European politics, namely, the revision of the Dawes Plan, the evacuation of the left bank of the Rhine, and the Conference on the Limitation of Armaments. I said at that time that those problems were closely linked with the negotiations concerning the Kellogg Peace Pact, and I expressed the opinion that the Pact would be signed, and that immediately afterward we would be confronted with the necessity of solving these other questions.

To-day it is seen that events have in fact taken this course. The Kellogg Pact was signed in Paris on August 27; it was acclaimed by the whole world and appreciated at the Assembly of the League of Nations in Geneva. After the signing by the original signatories a number of other States, including Soviet Russia, notified their desire of adherence, and thus the Pact will become a general world pact.

I shall not speak again of its significance to us and to the rest of the world. I have already said everything in my last exposé, and events have proved that I have made a correct appraisal of the Pact. At that time I did not mention the steps which were taken in the course of my visit to France, England and Germany, with a view to obtaining the recognition of our position as a Locarno Power, and hence the recognition of our demand to be included among the original signatories of the Pact. We asked that our special position be recognized, that is to say, our position as a State which is directly interested in questions of European security, and therefore entitled to direct participation in acts of a similar character. As may be seen, our efforts were completely successful. Now, of course, the immediate question is that the Pact should be ratified, before all others, by the United States. Its non-ratification would have very unfavourable consequences.

As may have been expected, immediately after the signing of the Kellogg Pact the other questions of European politics, which I have already mentioned, came up before us. This happened in Geneva at

the Assembly of the League of Nations and I should like to say a few words on the subject.

### *Reparations and Rhineland Evacuation*

The negotiations which were opened in Geneva between Germany and the other Powers belong to the most important of the post-war negotiations. It is true that only a beginning was made in Geneva and the work will be continued very shortly ; should these negotiations lead to positive results—I am not blind to the difficulties of these negotiations—it would mean the end of the political post-war period which may henceforth be styled the war liquidation period.

As a matter of fact, the question now centres round the solution of the last great problems of the European post-war period, or better still, it is a question of bringing to its logical end the policy which was taken up at Locarno, and which will now be continued by revising the Dawes Plan, that is to say, by fixing the final sum of German reparations and determining the final annuities. The solution of the reparation question would involve the evacuation of the left bank of the Rhine, and this whole political period would be closed with the assembling of the Conference on the Limitation of Armaments which, if successful, would culminate in the signature of an international convention, establishing for a number of years, in respect of each State, the maximum of authorized armaments. Such a prospect is certainly tempting. It would mean the removal of the last great obstacles to a settlement—at least an outer settlement—between the two former war-camps and to a formal liquidation of the war-period. Thus all the other European political questions which are still disputed would be pushed far into the background, and, by bringing about the Conference on the Limitation of Armaments, we would not only liquidate a great political question of principle which has been and will be the object of a great dispute, but we would thereby also create a new basis for the great pacification of Europe. All the post-war nervousness which still remains would entirely or largely disappear. Europe and the world would take a fresh and deep breath and would apply themselves to new problems, economic questions and other problems of European reorganization, about which I shall speak later.

The latest negotiations on those questions closed, as you know, with an agreement providing for the formation of two Commissions, the Commission on the Reparation Problem and the Commission on the Rhineland Evacuation ; both Commissions will start their work soon, and, I hope, bring it to a successful end. It is not an easy matter.

It would be premature to speak here about the details of this work and to explain how the various questions are envisaged by one or the other side. At the present stage of the negotiations, it is impossible to discuss publicly a question of such delicate nature without jeopardizing the results of the negotiations which are desired by both sides. I shall certainly have later occasion to report to this Chamber on the progress of those negotiations. . . .

*Little Entente*

Among the other international events which concern us, I would like to mention the following: from June 20 to 22 the usual yearly conference of the Little Entente met in Bucarest. Its importance lay in the fact that the conference emphasized more than usually the peaceful mission and constructive character of the Little Entente in its Central European policy. The Conference has moreover firmly rejected all attacks on the territorial integrity of the three States, and has more categorically than ever emphasized the necessity of an economic extension of the Little Entente. At an early date the first preparations for economic discussions will be made.

I would also like to mention the following in connexion with the Geneva negotiations: in accordance with the text of the clause concerning the prolongation of our treaty of alliance with the Serb-Croat-Slovene State, it was decided, in agreement with the Belgrade Government, to sign a Protocol of Prolongation as an annex to this treaty. This I did in Geneva with M. Marinkovich. The agreement concerning the prolongation of the treaty is, in view of our relations with Yugoslavia, a matter of course, and merely constitutes a confirmation of the fact that the system of the Little Entente, of which our treaty with the Serb-Croat-Slovene State is one of the links, is becoming more and more perfect. Moreover, I had in Geneva detailed conversations on questions of our foreign policy with MM. Marinkovich, Briand, Zaleski, Hermann Müller, von Schubert, Walko, Lord Cushendun, and others. All these were exchanges of opinion on the general situation, or conversations on particular questions such as have to be settled between State and State, as, for instance, the questions concerning our commercial treaty with Germany, the negotiations for arbitration treaties, preparations for the Disarmament Conference, &c.

### III. FRANCE

#### 1. SPEECH BY M. BRIAND IN THE SENATE ON FEBRUARY 2, 1928

It is my duty to give you all the explanations to which you are entitled concerning the foreign policy of my country. . . . I shall tell you very clearly how I understand the situation before us. And I consider it good fortune that a sort of dialogue can be carried on over the frontier between my colleague, the German Minister for Foreign Affairs, and myself. For there are misunderstandings to be dissipated between us; there are also misunderstandings to be removed between his country and our country; and from the moment we enter upon a policy of understanding between the two peoples towards a peaceful goal, it is necessary, it is indispensable, that we exchange decisive explanations. . . .

There is a tendency, when interpreting a treaty, by a kind of unconscious and almost instinctive discrimination, to prefer to seek in it that which pleases you, and disregard in very good faith that which may please you less. And yet, when it is a question of applying a convention, the latter must be taken just as it is in all its import; all its parts must be taken into consideration so that it can be executed faithfully.

I want to say, first of all, that the Locarno agreements are not separate from the Treaty of Versailles and from the other post-war treaties. The Locarno agreements lie—and this was formally recognized under the signature of all the contracting parties including Germany—within the very framework of the Treaty of Versailles, which they do not attack at any point and which they leave unimpaired in its entirety.

Now that these agreements have been signed, it is easy to sneer at the little olive tree which the signatories planted on the shores of the lake where they met. . . . But if you will look back to the moment when the negotiations took place, if you will recall the tension of mind which at that time existed, if you will remember the anxiety which darkened the horizon, you will then admit without difficulty that a persistent effort, and perhaps some clear-sightedness, were necessary to bring about the conference of representatives of seven Powers on the shores of Lake Maggiore. . . . The agreements were finally signed, and I am happy that I was present on the shores of the famous lake with the other storks who, standing on one foot, were willing to participate in the same work.

Without doubt, Gentlemen, such a work was not destined to upset

humanity. It held forth certain promises, but not the full certainty that might be desired against war. Nevertheless, it gave rise to a sort of mysticism the extent of which was not negligible. . . .

I have the ardent and profound conviction that, if you want a thing, you must not be afraid to talk about it. If you want peace, you must not fear the word; you must pronounce it, propagate it and draw from it all the penetrating force that it may possess. If you want peace—which in no way excludes the legitimate concern for security—you must talk about it more often than about war. . . .

When I think of the criticisms which have been showered upon me in respect of the Locarno policy, I could not help observing that I have not heard any other positive method proposed. When I was listening to those who declare that the Locarno policy does not appear to them a good road to peace, I hoped that they would indicate another. But I waited for that in vain. . . .

Yet it would be unjust not to admit that, after all, during the last several years, progress has been made towards peace. War is always lying in wait for a favourable opportunity, but it is no longer the lord of circumstances and of peoples.

From the Peace Treaties has arisen an institution over which we should be happy, and to which I devote all my efforts—for I consider it magnificent: the League of Nations. It is still subject to criticism, and we sometimes expect from it results that are at present beyond the realm of possibilities. . . .

But such as it is, it constitutes, for the first time in history, a tribunal of peace among nations. . . .

Gentlemen, the Locarno treaties have evidently in them the letter and the spirit of agreement. I well see that my colleague in the Ministry of Foreign Affairs of the Reich, the honourable Herr Stresemann, has tended to attach himself, in general, more to the spirit of the treaty than to its concrete realities. I am convinced of Herr Stresemann's loyalty. He has given me proof of it in difficult circumstances, and I am not one of those who are loath to recognize it openly. But the honourable Herr Stresemann is a man who in this international undertaking for peace does not lose sight of the particular interests of his country. . . .

Herr Stresemann defends the interests of his country with eagerness and with all the forces of his positive mind. I recognize it willingly. And if I address this reproach to him across the frontier, it is with the hope that he and, with him, the whole German people will receive it; Herr Stresemann, while walking in the olive garden of Locarno, has the tendency to put out his hand to take rather than to give.

Now, in our conversation there must be give and take, for France, as well as for Germany. Germany should realize that, for two nations, who not long ago were in such frightful relations with each other, to arrive at a sane and complete understanding of their reciprocal interests, there are no few difficulties to overcome.

I say to the honourable Herr Stresemann, as well as to certain interpellators of this Assembly, that the Locarno act must not be considered a conjurer's hat, from which a multitude of material and living things of all kinds can be produced immediately and pell-mell. It is possible in the future, which I hope is not distant, all that will be produced. But, reflect, Gentlemen, that Locarno came into force only a year and a half ago, and would you expect that in that time, under the gravest difficulties, the most unstable situations and all the press and party agitation, a complete agreement should have been reached, that the two peoples could have come to a definite understanding without a trace of the slightest anxiety or pre-occupation? It is impossible, humanly impossible!

Gentlemen, Locarno had at least for its effect the humanization of the Versailles Treaty, and, by giving to the parties the occasion to speak directly, instead of fighting at a distance, it permitted them to draw from the Treaty a possible means of execution. . . .

The honourable Herr Stresemann has made two speeches.<sup>1</sup> I shall say at once that of the two I prefer the first. I willingly recognize the generally conciliatory tone of the first speech, but it contained, to our regret, words which were not made to please us. . . . The honourable Herr Stresemann spoke of hypocrisy on our part when we were considering, in connexion with the evacuation of the Rhineland, the questions of security. And on the morrow of this speech, an important member of the German Parliament, Herr Freytagh, leaving his seat amongst the largest party in the Assembly, that is, the Nationalists, went to the tribune of the Reichstag to show Herr Stresemann that there was no need to call France hypocritical because she conceived certain anxieties. Herr Freytagh drew up against the Locarno policy a programme, a veritable programme of war, a programme of such a nature that Herr Stresemann could not have dreaded a more terrible answer to his first speech. The German Minister for Foreign Affairs had to reply. He understood that in his country, and not only among the people but even in a certain large political party, there were minds which had not yet developed up to his conceptions of peace. I must say that he replied clearly. . . .

<sup>1</sup> For texts of the speeches see *supra*, *Rhineland Evacuation*, p. 33, and *infra*, *Germany*, p. 94.

But I turn to my honourable German colleague . . . and I say to him: You say that the attitude of France is humiliating both to you and to Great Britain who gave her guarantee in the demilitarized zone. I reply: No, I do not lack confidence in you; but, you are not, Herr Stresemann, any more than I, assured of perpetuity, and the tendency of public opinion may be such that to-morrow men like Herr Freytagh will be placed in power. And then, what will the situation be? . . .

Gentlemen, the present circumstances are not particularly favourable to an objective discussion of these questions of foreign policy. This year is a year of consultation of the people in all the important countries, including Germany, and it is not possible, even when one wants, not to mix into a debate on foreign policy certain preoccupations of domestic policy. It is evident that these debates on the other side of the frontier are influenced by such preoccupations, and it is possible that words said from the tribunes of the different countries are addressed not only to the responsible Assemblies, but to the nations themselves who, during this year, will have to declare themselves in circumstances of grave importance. . . . Debates such as this should inform nations and permit them to make a decision in full knowledge of the cause. . . .

The speeches made should be remembered. And if I must remember the words spoken by Herr Stresemann I protest because I cannot admit that there is, in the whole matter, the slightest doubt of the extreme honesty and perfect loyalty of France.

Herr Stresemann has himself admitted that, contrary to what had been thought, no engagement had been taken at Locarno. . . . He has himself declared: 'I cannot say that any promises had been made to me.' As a matter of fact, the German representatives—it was natural—brought with them a note enumerating all that they expected from signing this treaty. But as soon as I saw a piece of that paper appearing I sprang back and said: 'No! I do not want to receive it. I do not want to know. We shall sign without conditions. Afterwards, we shall see . . .'

It was only after the agreements were signed that I said to Herr Stresemann and to Chancellor Luther: 'Now, speaking in my own name, without engaging my Government in anything, I must admit that, after having signed such a convention, which is only the beginning and not the end, its spirit authorizes certain arrangements in order to assure the closer understanding between the two peoples, and the possibilities of international co-operation for international peace which the convention aims at assuring. I shall exert all my efforts to

get my Government to admit them.' And I then agreed to hear the German wishes.

Herr Stresemann declares: 'I must admit that satisfaction has been given us.' I say: 'The programme has been fulfilled entirely.' The situation in the Rhineland has been totally modified. . . . True, the occupation still exists; and it must be admitted that the occupation of a country by another country is always an obstacle to certain realizations. . . . But can it be thought in Germany that it is a pleasure for France . . . to have soldiers on the territory of her neighbour? . . .

Herr Stresemann has said: 'We have gained nothing. It is a lure.' I say: 'That is not true.'

Germany has entered the League of Nations. In what condition was she before? In the isolation of a country after its defeat, kept apart and not participating in the regulation of any of the great international problems. Her entry into the League placed her in the international circuit; she now participates in the examination of all questions; she co-operates with the other Powers; she finds herself, consequently, in moral conditions the importance of which she has not the right to ignore. . . .

And we, Gentlemen, what did we gain? We gained in this, that in the settlement of several conflicts, certain of which could become grave, Germany has very faithfully united her efforts with ours in order to maintain peace. . . .

There are other (instances), and I here ask you to give your judgement without any political mental reservation. When a German Minister, a Chancellor of the Reich, replying to Nationalists from the tribune, declares: 'The question of Alsace and Lorraine is settled', thus ratifying publicly and spontaneously the Versailles Treaty on a point essential to us, will you say: 'Mere words'? When such words are pronounced by a responsible Minister before a public Assembly, before the entire nation, I say we have the right to take those words seriously and to register them with satisfaction.

. . . But the whole problem does not lie in this alone. Other regions of Europe cause anxieties. And here I arrive at the problem which has been called erroneously that of disarmament. . . . France has not avoided any occasion for reducing her armaments. At the present moment, without being constrained by definite engagements, while the problem has not yet been settled internationally, at her own will and voluntarily, France has successively reduced her naval armaments by 50 per cent. and her military armaments by 45 per cent. Her present military budget, calculated in gold francs, has been reduced by nearly 200 million francs as compared with the pre-war budget. . . .

While nearly all Europe is taking part in the disarmament work of the League, there is in the East a Power which prides itself on the recent great manœuvres, in the course of which it was able to assemble considerable forces. This Power has not missed any opportunity to show the world—in a spirit of propaganda, without doubt, but which can be singularly alarming—that, if it pleased, it could increase its army to two million men. Well, the honourable Herr Stresemann, who does not lack relations with that country, may take advantage of these relations for addressing, I shall not say the same words which he addressed to us, but words of the same character. . . .

As for the vast system of arbitration conventions about which M. de Jouvenel spoke so eloquently . . . I may say that since the time I have had the honour of being in the Ministry for Foreign Affairs, I have negotiated and signed five arbitration conventions, four others being in the course of negotiation. . . .

(Turning to our relations with Russia), these have been disturbed by an incident with the solution of which you are familiar. . . . We have important interests to discuss with the Russian Government. I hope to see them settled favourably to our compatriots. We only remind the representative of that country that we expect from him a conduct such as that required of all diplomatic representatives, and that when the Russian régime was recognized, when the relations were renewed, it was expressly stipulated as a formal condition that Russia would never try to interfere in the internal affairs of France.

Gentlemen, I hope that this condition will be respected. I am convinced that the new Ambassador (M. Dovgalevsky) entertains the same feeling. We have a vast ground to cover for the settlement of grave problems which exist between our two countries, without complicating our relations by manifestations of domestic policy. . . . In any case, I do not think it would be to the interest of France systematically to seek an occasion for rupture with a great country like Russia. . . .

As regards Italy, after certain misunderstandings aggravated by press polemics, it has been realized on both sides that nothing grave can arise between France and Italy. It is impossible that the two countries should not finally come to an understanding; and when one examines the difficulties that may exist between them, one is convinced immediately that only a little goodwill will be sufficient to solve them. . . .

I have been asked: ‘Is it true that you said that the French representatives are indifferent about finding guarantees for Eastern Europe

similar to those established for Western Europe ?' I have never made such a statement. . . . I shall indicate to you the only difference which exists between the two zones. It is important, but not so grave as you may suppose. In the West, Great Britain has given her express guarantee to France. She had already given her signature to such a guarantee by accepting Articles 42 and 43 of the Versailles Treaty. Does that mean that she is indifferent to what may take place in the East ? To think this is not to have read the speeches of the honourable Sir Austen Chamberlain. He said: 'Great Britain has never ignored for any region her material or moral obligations. Article 16 of the Covenant is not abolished. In the West, in virtue of contractual provision, my country has engaged itself in advance, in a given case, to assure with all its forces the defence of a delimited zone. As regards the East, without denying the obligations under Article 16, it has only reserved for itself to act according to circumstances.'

As for Germany, she has solemnly and publicly undertaken, she has signed an act, by the terms of which she formally commits herself never to resort to force in order to settle a conflict between herself and Poland. . . . It is a grave error to say that Poland lies isolated in the face of Germany, that she is exposed to war, that she finds no guarantee in the Locarno Treaties. This guarantee, at her proposal, has been reinforced by forty-seven nations by a public declaration against war and in favour of arbitration. . . . Let us seek further guarantees in the East, to be sure. And in fact, a commission on security, appointed by the Assembly of the League of Nations, is now working on this question. . . .

## 2. TREATY OF ARBITRATION BETWEEN FRANCE AND THE NETHERLANDS. MARCH 10, 1928<sup>1</sup>

*Sa Majesté la Reine des Pays-Bas  
et  
Le Président de la République Française:*

S'inspirant des relations d'amitié qui unissent heureusement le peuple néerlandais et le peuple français,

Considérant la Convention d'arbitrage conclue entre les Pays-Bas et la France le 6 avril 1904, prorogée le 29 décembre 1909, et restée en vigueur jusqu'à ce jour,

Désireux d'y substituer des dispositions permettant d'assurer dorénavant, conformément aux progrès du Droit des Gens, le règle-

<sup>1</sup> Official text issued by the French and Netherlands Ministries of Foreign Affairs.

ment pacifique, dans tous les cas, des différends et conflits, de quelque nature qu'ils soient, qui viendraient à diviser les deux pays,

Ont résolu de conclure un Traité à cet effet et ont nommé pour leurs plénipotentiaires respectifs, savoir :

Sa Majesté la Reine des Pays-Bas :

Jonkheer FRANS BEELAERTS VAN BLOKLAND, Son Ministre des Affaires Étrangères.

Le Président de la République Française :

Monsieur ARISTIDE BRIAND, Député, Ancien Président du Conseil, Ministre des Affaires Étrangères ;

Monsieur HENRI FROMAGEOT, Jurisconsulte du Ministère des Affaires Étrangères, Commandeur de la Légion d'Honneur ;

Lesquels, après avoir échangé leurs pleins pouvoirs respectivement reconnus en bonne et due forme, sont convenus des dispositions suivantes :

### Article 1

Les Hautes Parties contractantes s'engagent réciproquement à ne rechercher, dans aucun cas, autrement que par voie pacifique le règlement des litiges ou conflits, de quelque nature qu'ils soient, qui viendraient à s'élever entre la France et les Pays-Bas et qui n'auraient pu être résolus, dans un délai raisonnable, par les procédés diplomatiques ordinaires.

### Article 2

Tous les litiges, de quelque nature qu'ils soient, ayant pour objet un droit allégué par une des Hautes Parties contractantes et contesté par l'autre, et qui n'auraient pu être réglés à l'amiable par les procédés diplomatiques ordinaires, seront soumis pour jugement soit à la Cour Permanente de Justice internationale, soit à un Tribunal arbitral, ainsi qu'il est prévu ci-après. Il est entendu que les litiges ci-dessus visés comprennent notamment ceux que mentionne l'article 13 du Pacte de la Société des Nations.

Les contestations, pour la solution desquelles une procédure spéciale est prévue par d'autres Conventions en vigueur entre les Hautes Parties contractantes, seront réglées conformément aux dispositions de ces Conventions.

### Article 3

Avant toute procédure devant la Cour Permanente de Justice internationale et avant toute procédure arbitrale, le litige pourra être, d'un commun accord entre les Parties, soumis afin de conciliation à une Commission internationale permanente, dite *Commission Permanente de Conciliation*, constituée conformément au présent Traité.

#### Article 4

Si, dans le cas d'un des litiges visés à l'article 2, les deux Parties n'ont pas eu recours à la Commission permanente de Conciliation, ou si celle-ci n'a pas réussi à concilier les Parties, le litige sera soumis d'un commun accord par voie de compromis soit à la Cour de Justice internationale, qui statuera dans les conditions, et suivant la procédure, prévues par son statut, soit à un tribunal arbitral, qui statuera dans les conditions, et suivant la procédure, prévues par la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

A défaut d'accord entre les Parties sur le choix de la juridiction, sur les termes du compromis ou, en cas de procédure arbitrale, sur la désignation des arbitres, l'une ou l'autre d'entre elles, après un préavis d'un mois, aura la faculté de porter directement, par voie de requête, le litige devant la Cour Permanente de Justice internationale.

#### Article 5

S'il s'agit d'une contestation dont l'objet, d'après la législation intérieure de l'une des Parties, relève de la compétence des tribunaux nationaux de celle-ci, le différend ne pourra être soumis à la procédure prévue par le présent Traité qu'après jugement passé en force de chose jugée, et rendu dans des délais raisonnables par l'autorité judiciaire nationale compétente.

#### Article 6

Toutes questions, sur lesquelles les Hautes Parties contractantes seraient divisées, sans pouvoir les résoudre à l'amiable par les procédés diplomatiques ordinaires, questions dont la solution ne pourrait être recherchée par un jugement ainsi qu'il est prévu par l'article 2 du présent Traité, et pour lesquelles une procédure de règlement ne serait pas déjà prévue par un Traité ou Convention en vigueur entre les Parties, seront soumises à la Commission Permanente de conciliation, qui sera chargée de proposer aux Parties une solution acceptable, et dans tous les cas de leur présenter un rapport.

A défaut d'accord entre les Parties sur la requête à présenter à la Commission, l'une ou l'autre d'entre elles aura la faculté de soumettre directement, après un préavis d'un mois, la question à ladite Commission.

Dans tous les cas, s'il y a contestation entre les Parties sur la question de savoir si le différend a ou non la nature d'un litige visé dans l'article 2, et susceptible de ce chef d'être résolu par un jugement,

cette contestation sera, préalablement à toute procédure devant la Commission Permanente de conciliation, soumise à la décision de la Cour Permanente de Justice Internationale, d'accord entre les Hautes Parties contractantes ou à défaut d'accord à la requête de l'une d'entre elles.

#### Article 7

A défaut d'arrangement devant la Commission Permanente de Conciliation dans les cas visés à l'article 6, les Hautes Parties contractantes membres de la Société des Nations gardent la faculté, conformément au Pacte de la Société des Nations, de porter les affaires, qui seraient susceptibles d'entrainer une rupture ou de troubler la paix, devant le Conseil de la Société des Nations qui procédera conformément au Pacte.

#### Article 8

La Commission Permanente de Conciliation prévue par le présent Traité sera composée de cinq membres, qui seront désignés comme il suit, savoir: les Hautes Parties contractantes nommeront chacune un Commissaire, choisi parmi leurs nationaux respectifs, et désigneront d'un commun accord les trois autres Commissaires parmi les ressortissants de tierces Puissances; ces trois Commissaires devront être de nationalités différentes et, parmi eux, les Hautes Parties contractantes désigneront le Président de la Commission.

Les Commissaires sont nommés pour trois ans; leur mandat est renouvelable. Ils resteront en fonctions jusqu'à leur remplacement et, dans tous les cas, jusqu'à l'achèvement de leurs travaux en cours au moment de l'expiration de leur mandat.

Il sera pourvu aussi rapidement que possible, et dans un délai qui ne devra pas excéder trois mois, aux vacances qui viendraient à se produire par suite de décès, de démission ou de quelque empêchement permanent ou temporaire en suivant le mode fixé pour les nominations.

#### Article 9

La Commission Permanente de Conciliation sera constituée dans les six mois qui suivront l'échange des ratifications du présent Traité.

Si la nomination des membres à désigner en commun n'intervenait pas dans ledit délai ou, en cas de remplacement, dans les trois mois à compter de la vacance du siège, le Président de la Confédération suisse serait, à défaut d'autre entente, prié de procéder aux désignations nécessaires.

**Article 10**

La Commission Permanente de Conciliation sera saisie par voie de requête adressée au Président dans les conditions prévues, selon les cas, par les articles 3 et 6.

La requête, après avoir exposé sommairement l'objet du litige, contiendra l'invitation à la Commission de procéder à toutes mesures propres à conduire à une conciliation.

Si la requête émane d'une seule des Parties, elle sera notifiée par celle-ci sans délai à la Partie adverse.

**Article 11**

Dans un délai de 15 jours à compter de la date où l'une des Hautes Parties contractantes aurait porté une contestation devant la Commission Permanente de conciliation, chacune des Parties pourra, pour l'examen de cette contestation, remplacer son Commissaire par une personne possédant une compétence spéciale dans la matière.

La Partie qui userait de ce droit en ferait immédiatement la notification à l'autre Partie ; celle-ci aura, dans ce cas, la faculté d'agir de même dans un délai de 15 jours à compter de la date où la notification lui sera parvenue.

**Article 12**

La Commission Permanente de Conciliation aura pour tâche d'élucider les questions en litige, de recueillir à cet effet toutes les informations utiles par voie d'enquête ou autrement, et de s'efforcer de concilier les Parties. Elle pourra, après examen de l'affaire, exposer aux Parties les termes de l'arrangement qui lui paraîtrait convenable, et, s'il y a lieu, leur impartir un délai pour se prononcer.

A la fin de ses travaux, la Commission dressera un rapport qui en constatera le résultat, et dont un exemplaire sera remis à chacune des Parties.

Les Parties ne seront jamais liées par les considérations de fait, de droit ou autres auxquelles la Commission se sera arrêtée.

Sous réserve de la disposition de l'article 6 alinéa 3, les travaux de la Commission devront, à moins que les Parties en conviennent différemment, être terminés dans un délai de six mois à compter du jour où la Commission aura été saisie du litige.

**Article 13**

A moins de stipulations spéciales contraires, la Commission Permanente de Conciliation réglera elle-même sa procédure qui, dans tous les cas, devra être contradictoire. En matière d'enquêtes, la Commission, si elle n'en décide autrement à l'unanimité, se con-

formerà aux dispositions du Titre III (Commission internationale d'enquête) de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

#### Article 14

La Commission Permanente de Conciliation se réunira, sauf accord contraire entre les Parties, au lieu désigné par son Président.

#### Article 15

Les travaux de la Commission Permanente de Conciliation ne sont publics qu'en vertu d'une décision prise par la Commission avec l'assentiment des Parties.

Les Hautes Parties contractantes s'engagent à ne pas publier le résultat des travaux de la Commission sans s'être préalablement consultées.

#### Article 16

Les Parties seront représentées auprès de la Commission Permanente de Conciliation par des agents, ayant mission de servir d'intermédiaires entre elles et la Commission ; elles pourront, en outre, se faire assister par des conseils et experts, nommés par elles à cet effet, et demander l'audition de toutes personnes dont le témoignage leur paraîtrait utile.

La Commission aura, de son côté, la faculté de demander des explications orales aux agents, conseils et experts des deux Parties, ainsi qu'à toutes personnes qu'elle jugerait utile de faire comparaître avec l'assentiment de leur Gouvernement.

#### Article 17

Sauf dispositions contraires du présent Traité, les décisions de la Commission Permanente de Conciliation seront prises à la majorité des voix.

La Commission ne pourra prendre de décision, portant sur le fond du différend, que si tous les membres ont été dûment convoqués, et si le Président et deux membres au moins sont présents. Dans le cas où trois membres seulement et le Président seraient présents, la voix du Président sera définitive.

#### Article 18

Les Hautes Parties contractantes s'engagent à faciliter les travaux de la Commission Permanente de Conciliation et, en particulier, à assurer à celle-ci l'assistance de leurs autorités compétentes, à lui fournir dans la plus large mesure possible tous documents et informa-

tions utiles, et à prendre les mesures nécessaires pour permettre à la Commission de procéder sur leur territoire à la citation et à l'audition de témoins ou d'experts et à des transports sur les lieux.

#### Article 19

Pendant la durée des travaux de la Commission Permanente de Conciliation, chacun des Commissaires recevra une indemnité dont le montant sera arrêté d'un commun accord entre les Hautes Parties contractantes qui en supporteront chacune une part égale.

#### Article 20

Dans tous les cas, et notamment si la question au sujet de laquelle les Parties sont divisées résulte d'actes déjà effectués ou sur le point de l'être, la Cour Permanente de Justice internationale, statuant conformément à l'article 41 de son Statut ou, selon le cas, le Tribunal arbitral, indiquera dans le plus bref délai possible quelles mesures provisoires doivent être prises ; la Commission permanente de Conciliation pourra, s'il y a lieu, agir de même après entente entre les Parties.

Chacune des Hautes Parties contractantes s'engage à s'abstenir de toute mesure susceptible d'avoir une répercussion préjudiciable à l'exécution de la décision, ou aux arrangements qui seraient proposés par la Commission permanente de Conciliation et, en général, à ne procéder à aucun acte de quelque nature qu'il soit susceptible d'aggraver ou d'étendre le différend.

#### Article 21

Le présent Traité reste applicable entre les Hautes Parties contractantes encore que d'autres Puissances aient également un intérêt dans le différend.

#### Article 22

Si quelque contestation venait à surgir entre les Hautes Parties contractantes relativement à l'interprétation du présent Traité, cette contestation serait portée devant la Cour Permanente de Justice internationale, suivant la procédure prévue dans l'article 4 alinéa 2.

#### Article 23

Le présent Traité sera ratifié. Les ratifications en seront échangées à La Haye aussitôt que faire se pourra.

#### Article 24

Le présent Traité entrera en vigueur dès l'échange des ratifications, et aura une durée de dix ans à compter de son entrée en vigueur. S'il

n'est pas dénoncé six mois avant l'expiration de cette période, il sera considéré comme renouvelé tacitement pour une nouvelle période de cinq ans, et ainsi de suite.

Si, lors de l'expiration du présent Traité, une procédure quelconque en vertu de ce Traité se trouvait pendante devant la Commission Permanente de Conciliation, devant la Cour Permanente de Justice internationale ou devant le Tribunal d'arbitrage, cette procédure serait poursuivie jusqu'à son achèvement.

#### Article 25

Dès l'entrée en vigueur du présent Traité, la Convention d'arbitrage conclue entre la France et les Pays-Bas le 6 avril 1904 et prorogée par la Convention du 29 décembre 1909, sera considérée comme abrogée.

En foi de quoi les Plénipotentiaires susnommés ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Genève en double exemplaire le dix mars mil neuf cent vingt-huit.

BEELAERTS VAN BLOKLAND.  
(L.S.)

A. BRIAND.  
HENRI FROMAGEOT.  
(L.S.) (L.S.)

## IV. GERMANY

### 1. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON JANUARY 30, 1928

Last week the Government communicated to the *rapporteur* of the committee on security, who is at present in Prague, a memorandum containing a number of observations; these we have since made public.<sup>1</sup>

At the last September meeting of the League of Nations in Geneva the questions of disarmament and security were in the foreground. After long and at times very difficult discussions, agreement was finally reached on a resolution which placed the questions of disarmament and security in proper relation to each other, and which established a special committee for questions of security; the task of this committee is to deal with the individual problems of security concurrently with the work of the disarmament commission. At the same time it was made clear that, whatever shape the work of this committee on security might take, the first disarmament con-

<sup>1</sup> The text of the German Memorandum may be found in League Document C.A.S. 10. 1928.

ference shall be convoked as soon as the necessary preliminary work of a purely technical character will have been completed.

The committee on security was formed last December, and, as a preliminary step to its meeting on February 20, it appointed three *rapporteurs* who are now conferring in Prague under the chairmanship of the Czechoslovak Minister of Foreign Affairs. The next meeting of the disarmament commission is fixed for March 15. On the basis of the September resolution we may expect that at this March meeting matters will advance far enough to end the preparatory technical work of the disarmament commission and thus open the way for the convocation of the first disarmament conference.

In the course of the Geneva negotiations, I have repeatedly emphasized Germany's readiness to co-operate actively in the work of the Commission on Security. The memorandum of the German Government which has just been sent to Prague is an evidence of the earnestness of our assurances. Particular stress must again and again be laid on the fact that, up to the present time, no State has contributed more than, or even as much as, Germany to the solution of the problem of security. We are disarmed; we concluded the Locarno treaties; by signing the 'optional clause' we have in general submitted ourselves, in respect of all international disputes of a legal character, to the jurisdiction of the World Court at The Hague, and we have woven an almost complete network of arbitration and conciliation treaties. Our recent memorandum points out the ways and means by which every State may contribute practical and useful work in this field. In my opinion, the observations contained in our memorandum illustrate all the fundamental problems under consideration in such a simple and clear manner, that really no dispute should arise concerning them. It is a truth, that the real guarantee for the abolition of war can only be found in a procedure of peaceful settlement of all differences which are bound to come up in the course of the natural development of nations. It is also a truth that, in case of emergency, the League of Nations will not be able to keep all States together peacefully if the member States are divided into opposing groups. Simple as these truths may sound, I nevertheless think it necessary to point them out over and over again. The idea of security should not be perverted. From the psychological standpoint, it would indeed be a great danger if public opinion were led to believe that it is less a question of safeguarding peace, than of direct preparation for the next war. The security of a single State, or of individual groups of States, should not be established at the expense of other States. The problem of security can be solved only when

the attempted adjustment takes equally into account the interests of all States.

Germany in particular is entitled to hold these views since, by her geographical position and her complete disarmament, she has the greatest interest in seeing all means of sheer force removed from international policy. In this respect, a well-known French journal was quite right when it remarked that our memorandum was dictated exclusively by German interests. I shall only add that in this respect the interests of Germany are in full agreement with the common interests of Europe. This would not be so except in the case where a single European State should see its particular interests, not in the establishment of an order of peace supported by the conviction of all nations, but in perpetuating certain definite positions of power.

I am at a loss to understand how any one, who realizes the wide scope of the thesis laid down in the German memorandum, can consider the latter as a retreat from Locarno. This criticism was raised recently in the *Vorwärts*. Perhaps the next Social-Democrat speaker will enlighten us on the subject. In reality, the memorandum expresses only the fundamental ideas of Locarno, and gives new proof of the German Government's unrestricted desire for peace. In this connexion, I must not pass over the recent negotiations between the United States and France for the conclusion of a peace pact. The great interest shown by the United States in the problem of security must be welcomed, and we hope that it will give a new impulse to the Geneva discussions. I shall not enter into further details on this subject, as the French and American Governments are still in diplomatic negotiations concerning it, and we are neither able nor desirous to interfere in them.

We have made notable progress in our foreign trade policy. To mention only the most important trade agreements, we have concluded recently treaties with France, Japan, and Yugoslavia. When, with the lapse on January 10, 1925, of the one-sided most-favoured-nation clause (of the Versailles Treaty), we recovered our liberty in trade negotiations, we have proceeded systematically to the re-organization of our economic relations with other countries. In the early period of negotiations, we first established on a treaty basis our economic relations with Great Britain and the United States, the two greatest trading Powers of the world. During the second period of negotiations, which ended last year, we regulated our trade relations with countries west and south of Germany, the economic interests of which countries are similar in many respects to our own. These were treaties with Spain, Portugal, Belgium, Italy, Switzerland and, finally,

France. At the same time we concluded more or less extensive treaties with the Netherlands, Sweden and the other Scandinavian countries. I want in particular to emphasize the significance of the treaty with France. This is the first commercial treaty Germany has ever concluded with France. There were therefore special difficulties that had to be overcome during the negotiations. The fact that the international economic conference last spring had laid down the lines for the more liberal policy of international trade, and had recommended them to the Governments, undoubtedly contributed towards removing those difficulties. I welcome the treaty especially for general political considerations, since through it a vast field has been cleared up, and thus removed from the Franco-German discussions. It has also undoubtedly paved the way for an understanding on other questions pending between the two countries.

We are now in the third period of our trade negotiations, in the course of which we must regulate economic relations with countries to the east. These countries also have many economic interests similar to our own; it is, in particular, the agricultural questions which are beset by difficulties. Our task will be to find a satisfactory compromise between our own needs and the necessity of placing our economic relations with the eastern countries on a more stable basis. It will be the task of the Government to give to our agriculture the protection which is necessitated by the need of strengthening the domestic market, and by the present distressed condition of German agriculture. On the other hand, it must also be hoped that exaggerated agitation in the quarters concerned will be avoided, as this cannot serve their general interests. We are now negotiating with Czechoslovakia, Poland, Lithuania, and Greece. These last treaties are on the point of being concluded. New negotiations with Austria and Hungary are about to be started. I am particularly pleased to note that our economic relations with Yugoslavia have already been definitely regulated, and I hope that in the near future the Rumanian Government will also agree to place the commercial relations between the two countries on a treaty basis. I believe it is in the interest of both countries to pay more attention to the future development of their mutual relations, rather than to certain disputes of the past which the German Government wishes to settle, although it cannot recognize their validity. We are about to open new discussions with Russia. It is obvious, and, at the time the Russo-German commercial treaty was signed it was recognized on both sides, that in the first attempt at a compromise between the two different economic systems a final solution could not be found immediately. The impending

negotiations have for their object to remove the defects, and fill the gaps, which have come to light during the enforcement of the Russo-German commercial treaty. German economy is of the opinion—and I cannot conceal my belief that it is fully justified—that the development of the Russo-German trade, up till now, has not come up to the expectations which were entertained at the time the treaty was concluded, and later, when Germany made large concessions in the form of credits.

In her foreign trade policy, Germany has worked, unequivocally and systematically, for the international conciliation of opposing economic interests. The less there is of international tension, the more fruitful will be the policy of peace. We shall continue this policy, and increase our activity in the work which the League of Nations has undertaken in the economic field. Germany was the first country to sign the international convention abolishing import and export prohibitions. By our initiative and co-operation, we are promoting all the endeavours of the League of Nations to simplify and reduce customs tariffs, and to improve trade treaties. I welcome the fact that the League of Nations has lately directed its attention, particularly, to world economic problems. I see, in this initiative, a wide and fertile field for the realization of the ideals of peace, international reconciliation and improvement of the living conditions of humanity.

During the visit to Berlin of Professor Valdemaras, the Lithuanian Premier, we discussed a number of political and economic questions in which Germany and Lithuania are interested. We agreed on many points. As a result of these conversations, I may mention, first of all, the agreement relative to a general arbitration and conciliation treaty which was signed at the Foreign Office. Under this treaty all legal disputes will be submitted, according to the well-known procedure, to judicial or arbitral procedure, and all political disputes to the procedure of conciliation. We further availed ourselves of the occasion by concluding several agreements of a technical character, namely, a treaty for the regulation of the German-Lithuanian frontier relations, a fisheries agreement, an economic agreement on waterways, and a military agreement. A marked progress has been made in the negotiations for a commercial treaty, which were begun last July, first by determining the general lines for further negotiations, and then by clarifying various points of principle. Finally, we tried to remove the difficulties which arose between the two Governments over a number of questions concerning the Memel territory. Our efforts were successful, and we arrived at an understanding on the

disputed questions. We also agreed on the practical methods for settling differences, of similar nature, which may arise in the future. Further, a satisfactory arrangement was found in respect of the optants still remaining in the Memel territory. Finally, the question of establishment, sojourn and expulsion of nationals was brought to a satisfactory provisional solution.

In connexion with my remarks on the negotiations with the Lithuanian Premier, I should like to say a word about our relations with Poland. If it is true, as the press reports, that certain Polish papers have displayed certain nervousness and suspicion on account of the Berlin negotiations (with the Lithuanian Premier), such a feeling is entirely unwarranted. Just as Germany did everything during the Geneva negotiations to eliminate the tension and conflict between Poland and Lithuania, so it is obvious that she welcomed the Berlin conversations proposed by the Lithuanian Premier, and she did not miss any opportunity to clear up the important questions pending between Lithuania and herself.

We need to live in peace and good understanding with our neighbours to the west and east. For more than two years we have exerted efforts to come to an economic understanding with Poland by concluding a trade treaty. You are well familiar with the unfortunate history of this treaty, which has often been discussed in this House. After the personal conversations in Geneva, the interrupted negotiations were resumed at Warsaw between the Polish Foreign Minister, M. Zaleski, and the German Minister, Herr Rauscher, who finally arrived at a provisional agreement concerning the conduct of negotiations for a trade treaty. It was agreed to clarify, first of all, in the course of the political negotiations, the question of the right of establishment, and then to approach the question of economic relations. Last July the way was cleared for the future conclusion of a treaty on establishment. Since then the conversations have been resumed, after a protocol had been signed, by M. Jackowski and myself, concerning the scope of the negotiations. This protocol embodies the extent of German economic concessions. The difficulties of German agriculture, especially the agriculture of East Prussia, have been taken into account. The agreement, at which I arrived with the Polish representative, has been unanimously approved by the Cabinet. I must, therefore, refute the statement of the President of the Pomeranian Agricultural Association, which appeared in an article of the *Deutsche Tageszeitung*, to the effect that the Foreign Office is opposed to protective measures for German agriculture. I regret the remarks made, in the resolution of the Agricultural Association, on the con-

clusion of a commercial treaty with Poland. A commercial treaty is not a gift made by one State to another. We are not in the happy position of being able to withdraw to a situation of economic isolation. German industry has a strong interest not to lose, through a protracted customs war, the Polish market which has always been an outlet for German goods. Poland has the same interest in respect of the German market. If we content ourselves with concluding a limited trade treaty instead of a complete commercial treaty, it is because we have taken into account the present condition of our agriculture. All Parties represented in the Government have unanimously expressed their opinion that the Cabinet had taken a thoroughly practical stand on the question of a commercial treaty with Poland. The declarations made by separate organizations of the 'Landbund' can change nothing in this matter. On the other hand, I consider it necessary to declare that the principles of the right of establishment, with regard to which a provisional agreement has been reached, cannot be put in question by the individual provisions of the Polish law.

The remainder of Herr Stresemann's speech, dealing with Rhineland Evacuation, will be found on p. 33.

In the interval between this speech of Herr Stresemann and that of Feb. 1, Herr von Freytagh-Loringhoven, one of the leaders of the Nationalist Party, delivered a speech in the Reichstag attacking any suggestion of a further Franco-German *rapprochement*.

## 2. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON FEBRUARY 1.

The declarations of Herr von Freytagh-Loringhoven have given the central organ of the Social-Democrat Party an opportunity to put before me the question, whether the enemies of Germany should be enabled to represent her policy as suspicious and false. The *Vorwärts* expects a declaration from the German Foreign Minister on the course of German foreign policy. Since I consider it necessary to remove all doubts on this point, allow me to deal, not only with the declarations of Herr von Freytagh-Loringhoven, but also with the statements made yesterday by Herr von Lindeiner-Wildau. The latter said that the declarations of Herr von Freytagh-Loringhoven were a valuable supplement to my own speech. I regret to say that I cannot agree with this opinion. I welcome the declarations made by Herr von Lindeiner, in the name of the German Nationalists, containing the unqualified recognition of the Locarno treaties, and I also welcome his assurance of the loyal co-operation of the German Nationalists. The representatives of the other political parties who

have worked with Dr. Hoetzsch, the *rappoiteur* on the Foreign Office estimates, entertain no doubts on his loyal co-operation at Geneva. I also welcome Herr von Freytagh's other statements, including his declaration on the importance of the memorandum which we sent to Geneva for the disarmament negotiations. Up to this point, there is no difference between his declarations and the course of the German foreign policy. The essential difference, in my opinion, lies in the concluding sentences of Herr von Freytagh's speech. In these, the speaker of the German Nationalists tries to turn his party against the policy of a Franco-German understanding, on two grounds: first, because such a policy leads us into a blind alley; secondly, because it does not take us to a goal. It would be easy for me to reply to Herr von Freytagh by citing the declarations which his party colleague, Herr Wallaraf, made here on the same subject a short time ago. At that time Herr Wallaraf pointed out the momentous significance of the Franco-German commercial treaty. Permit me to say, for my part, that, in this treaty work which brought the two nations around the conference table for the first time, no satisfactory results would have been possible, if a certain atmosphere of understanding had not preceded the discussions.

The sense of my declaration (last Monday) was not that we could not arrive at the settlement of the questions outstanding with France, but that the pace should be quickened, and that we should come to an understanding more rapidly if France removed the psychological obstacles in Germany. Herr von Freytagh has practically suggested a new policy. I should be grateful to him if instead of criticism he would show us a new road. For he who says that we cannot arrive at the goal must propose new roads. Herr von Freytagh suggests two ideas. He says, first of all, that we should co-operate with the Powers, which stand on the same ground as we do concerning questions of Right. But has not this been done? Up to this day all the efforts of the German foreign policy have been directed to making Right prevail, to Right as opposed to Might, as the foundation of international policy. Other Governments have done the same, and are grateful for any support in this direction. Our whole policy can be based on this premise, and in this I cannot see any new policy for 1928 or any new era. Second, Herr von Freytagh recommends co-operation with Powers other than the Great Powers of the League of Nations. I disagree with this differentiation between Great Powers and 'other-than-great Powers'. The League of Nations does not depend upon the number of square metres of States. Herr von Freytagh further pointed to the significance of signing the 'optional

clause'. When I said that Germany had signed this clause without any reservation, this meant that we are already in the company of the 'other-than-great Powers', as Herr von Freytagh calls them. The applause which we received at Geneva on that occasion came from those very Powers. How, then, can it be called a new policy when we are going hand in hand with those Powers—the suggestion obviously was: against the Great Powers—for how else could it possibly signify a change in our foreign policy? This is not a new policy; our policy has, until now, been based upon the principle of mutual understanding. Germany shall and must follow this road.

I am of the opinion that our relation to Locarno, and especially to France, is in a period of stagnation. I should gladly avail myself of the opportunity, not at a plenary session of this House, but anywhere else, to make it understood that Germany's co-operation in the League must continue uninterrupted in order to overcome stagnation. All these efforts have been struggles. Think of the December days, think of the struggles over the establishment of investigation. How often has the question been asked in this House, when will the Inter-Allied Military Commission cease to exist? How often has it been asked why it is that other countries are allowed freely to develop their aviation, while we are burdened by minute and detailed prescriptions? On the eve of initialling the Locarno treaty, the question of the freedom of aerial navigation was discussed. Everything that was promised us on that occasion has been fulfilled. Undoubtedly these are only questions of detail; but progress takes place only gradually. Moreover, the Locarno Powers complied with our demand for the reduction of the occupying forces.

All these results, however, cannot satisfy those who see, in the Locarno treaties, not only the essential treaty achievement, but also the beginning of co-operation among the nations which sat at the conference table. And herein lies the fundamental difference between Herr von Freytagh and myself: he does not consider Franco-German understanding possible, whereas I have, time and again, demanded the evacuation of the Rhineland, so that we could come eventually to a real international understanding and co-operation.

There is no doubt that the Locarno treaties are a remarkable achievement even in the eyes of sceptics, if they only stop to consider the international relations. Contrary to what has been said by the Communists, we do not intend to foster German imperialism. A treaty which secures the Rhineland is something that Germany ought to regard as an asset. There is no other nation which has less interest in armed conflict, which, in case of war, would put in play its whole

existence to a greater extent on the turn of a card, than the German nation.

For reasons of self-preservation, Germany must pursue such a policy for the sake of the German people. This was the sense of the Locarno treaties. But, unfortunately, the fullest use has not been made of them. And I regret the remarks of French public opinion on this point. For the Locarno treaties, beyond their formal scope, aimed at opening the road for the collaboration of all countries concerned. This is what I had in mind, when I said that they constituted, not the end, but the beginning of a development towards the common action against violators of peace. Beyond that, the object was to find the means for a united economic action.

On several occasions of European tension we could see the play of a united political action. The Communists are right in saying that tensions still exist. But if you want to remove them, it is not enough simply to note their existence, but you must join those who want to do away with them. It is precisely because I want to make the idea of a united action the common property of the whole German people, that I address myself to the French nation: Now do your share so that this policy may become the common policy of the German people.

That part of Herr Stresemann's speech which dealt with Rhineland Evacuation will be found on p. 36.

What we want, what we desire, is that the iron screen shall not hang between Germany and France, that it shall be raised for a complete understanding between the two nations, which is really the only basis upon which an active international policy can be developed in a responsible manner. When we ask for this, we simply continue the straightforward line of foreign policy which Germany has followed up to this day. I shall add that this is the policy of all responsible quarters in the German Government, and that it is supported by the great majority of the German people....

### 3. SPEECH BY HERR STRESEMANN IN THE REICHSTAG ON NOVEMBER 19, 1928

After a rather long, forced absence, I have again for the first time the honour to speak before you of the actual questions of German foreign policy. I was not able to attend the discussions, so important for us, at the Assembly of the League of Nations in September. My duty is all the greater to express my thanks to the Chancellor of the Reich, who, when it became impossible for me to take part in those discussions personally, acceded, without hesitation, to my request to take my place at the head of the German delegation in Geneva.

While thanking him, I must declare that I assume full responsibility for all the steps taken by Germany in foreign affairs during recent months, and I do so, not merely as a formality, but because I share the views on which the steps were based.

The problems which have been subjects of international negotiations since our last debate in the Reichstag, and are still under discussion, include great and vital questions of our foreign policy. Allow me to put three questions in the forefront of my declaration : the evacuation of the occupied regions, disarmament and, above all, the solution of the reparation problem. As a result of recent developments, these problems have entered a new phase, so that to-day it appears necessary for me to explain briefly my position in principle in regard to each of them.

That part of Herr Stresemann's speech which dealt with Rhineland Evacuation will be found on p. 49.

Allow me, in view of this criticism, to ask you if the situation really is such, that those who see the only policy for Germany in the desire for a reasonable, pacific understanding on the basis of moral equality, are really chasing the phantom of a Great Power status ?

Is this policy, not a reality, but a phantom, leading one to believe that we can arrive at the Great Power status, which we lack, by protests and vigorous, but purely negative, words ?

Would we be in a position to-day to set forth with seriousness our claim to be freed from military occupation, if we had not followed, during these last years, the policy which is now represented as wrong, but which has created the necessary legal and political basis of this claim ? Is not this policy the very basis of all the claims which we must set forth in the interests of our country ?

I do not know any firm ties to individual Great Powers which must be broken, in order that we may have the necessary freedom for a peaceful understanding with other Powers. Nor can I admit that the anxiety about the state of feeling and the general atmosphere has hindered us in safeguarding, with coolness, German rights and interests. You know, from the policy which we have been following, that it has strengthened and renewed our relations with World Powers beyond the seas and in the East, with States of less importance, and with small countries. And thus we did not stop to ask ourselves what the position of these Powers was in relation to the Western Powers. I therefore do not think it can be said that we must seek in full freedom political support wherever such support is to be found. I do not see any support which can be offered to us in such a manner that it will give us, instead of the so-called phantom of Great Powers status,

a real political power, which other Powers still find themselves in the necessity to safeguard by armaments. On the contrary, I should like to warn against imagining possibilities which in reality do not exist. Even if the view, lying at the basis of the criticisms directed at us, should prove true, that is to say, the view that the necessary goodwill would also be lacking in the future to accede to Germany's just claims, the policy, which we followed by obtaining the security of our western frontiers by treaty, and which alone is possible in view of our complete military helplessness, would be more necessary than ever. The contention, that the professional army constitutes to-day the best means for military action, may be true in theory, and this I cannot judge. But it does not apply to Germany, as the fundamental requirement of a professional army is armament, which we do not possess.

My standpoint is not, merely, that only a policy of peaceful co-operation, and of efforts for the re-establishment of friendly relations with our former adversaries, is an absolute necessity for German policy, but I am convinced that any Foreign Minister, and any Coalition Government, however composed, would be forced by realities to adopt the same attitude, if they were not to jeopardize the existence of the Reich.

### *Germany and Disarmament*

Various misgivings, as to the effectiveness of the treaties concerning the security of the Rhineland, were recently expressed in consequence of the negotiations which took place between two signatories of the Locarno Rhine Pact. It is comprehensible that the news about the so-called Anglo-French naval compromise should have aroused far-reaching concern. This concern was felt, not only in regard to the effect that the compromise might have on the future development of the disarmament problem, but also as to the possibility of new alignments of Powers which might menace Germany. So far as the objective side of the disarmament problem is concerned, the German standpoint was publicly explained in Geneva, in a manner that left no doubt, by the Chancellor of the Reich and later by Count Bernstorff. This standpoint we shall maintain in the future. The above-mentioned naval compromise, with its supplementary agreements, must be considered, according to the facts which have recently become known, as definitely ended. But it does not seem to me superfluous to call attention to-day to one point of principle. However desirable it may seem, in accordance with the circumstances, to prepare for the general disarmament negotiations at Geneva by special discussions between individual Governments, nevertheless it

goes without saying that all individual agreements must remain subordinate to the general aim of disarmament. They must not, in effect, guarantee the preservation of the particular kind of armaments that best suit the States concerned. In this respect, I should like to recall, particularly as regards the question of trained reserves, that even in the opinion of the British Government the failure to consider a factor of armament would be a serious omission in general disarmament.

Much more important are the misgivings of a political nature which were connected with these negotiations. If two Powers, to which essentially different rôles are assigned by the structure of the Locarno Pact, should really conclude far-reaching agreements in the military sphere, the very foundations of the Locarno Rhine Pact would be shaken. Whether military manœuvres, directed, so far as their eventual aim is concerned, against Germany, should be instituted is a question of political tact. But for the guarantor of a pact to enter into far-reaching military agreements with one of the two participating Powers would be contrary to the spirit, foundation and existence of such a pact. I consider it my duty, however, to place it on record that the ground has been cut from beneath such misgivings by the public declarations frequently, and even quite recently, made by responsible representatives of these Powers. I am particularly glad to be able to conclude, from the words of the British Prime Minister, that he too sees, in a trustful co-operation of all the Great Powers on a footing of equality, the appropriate basis of European policy.<sup>1</sup>

That part of Herr Stresemann's speech which dealt with Reparations will be found on p. 53.

#### *The Kellogg Pact*

I cannot conclude my remarks without recalling such an important event as is the signature of the Kellogg Pact, which took place in Paris on August 27 of this year. Under this Pact, the Governments undertake to renounce war as an instrument of national policy. It is easy to be sceptical about this Pact, and to doubt the significance and efficacy of such an international agreement. The Kellogg Pact will be just what the Governments and nations themselves will want to make of it. I myself do not doubt that history will regard it as an important turning-point in the development of international relations. In any case, Germany, which has great interest in it, will do all she can to make the great ideas at the basis of the Pact a living reality. The efforts exerted in common to arrive at this goal will serve, not only to guarantee peace but also to draw nations closer together, and even bring the separated continents to co-operate in a fruitful work.

<sup>1</sup> For this statement of Mr. Baldwin's see *infra*, *Great Britain*, p. 107.

## V. GREAT BRITAIN

### 1. SPEECH OF SIR AUSTEN CHAMBERLAIN IN THE HOUSE OF COMMONS ON FEBRUARY 8, 1928<sup>1</sup>

. . . My first observation would be to join with what the Prime Minister said in grateful recognition of the unanimity of the House in respect of the declaration made in the Gracious Speech as to our policy towards China. That policy was the result of mature consideration and was deliberately announced. I stated at the time that the date and moment for its application must be dependent upon circumstances which were and are beyond our own control, but to that policy we remain faithful, and we are glad to recognize, as was made clear yesterday, that it is no party policy, but an expression of goodwill and of friendship of all our countrymen towards the people of China and their legitimate aspirations. We have, indeed, no other interest in China than that our citizens should be allowed to pursue their legitimate avocations as traders in peace and security, and we are prepared to meet Chinese aspirations for the revision of the Treaty in the most liberal spirit, provided only that that security is given for the lawful occupations of our people.

The right hon. Gentleman, the Leader of the Opposition, asked to know more of the present position. He expressed some impatience that more progress had not been made. I think, perhaps, that for the moment he a little forgot what has already been done, as he certainly underrated the immense difficulties which stand in the path of progress. China is still rent with civil war. It is without any Government that can speak in the name of the whole Chinese people. Indeed, Governments come and go, as leaders come and go, and rise and fall, and there can be no more difficult task than to carry out the wishes of His Majesty's Government, and the policy which they have announced, while the Chinese themselves are unable to provide a stable and settled Government for China. Still, we have made some progress. In view of the long delay which has occurred in carrying out the promises of the Washington Convention, His Majesty's Government have accepted the position that we should not be justified in withholding our consent to the collection of the  $2\frac{1}{2}$  per cent. surtaxes which were there provisionally agreed to. They are being paid by His Majesty's subjects throughout China, but His Majesty's Government object, and must continue to object, to illegal levies over and above these surtaxes, which are continuously cropping up

<sup>1</sup> House of Commons' Debates (*Hansard*), February 8, 1928.

in the different parts of China under this or that passing local authority. They will not object to tariff autonomy based upon a uniform national tariff, which does not discriminate against British merchants and which is administered fairly. It is for the Chinese themselves to agree on this most important question, and when they do agree among themselves—and I am happy to say that there have been some signs of late that such an agreement was, perhaps, beginning—then His Majesty's Government will help them and will adopt no obstructive attitude.

Similarly with ex-territoriality. We made some progress in the face of these difficulties. His Majesty's Government already recognize the modern Chinese law courts in cases where British subjects are plaintiffs or complainants. We are ready to apply in British courts the existing modern Chinese civil and commercial codes. A mixed Commission met at Pekin last spring to consider this offer, but, unfortunately, it made little progress, and the Chinese codes are by no means complete, and many of the Chinese laws are not yet translated into any European language. Modern Chinese jurisprudence is a field which needs developing and offers great promise, but it has not yet advanced far enough to constitute a recognizable judicial system, and it is hardly possible to make further advance in the direction of surrendering our existing rights, while the system is still half complete and is, further, suffering from the division of authority of which I have already spoken.

A third branch of our programme was the surrendering by negotiation of our special rights in the British concessions. The concessions of Hankow and Kiukiang were surrendered. I wish I could give a more satisfactory account of the state of things which has prevailed since that surrender. I cannot say that it is wholly encouraging. The circumstances of chaos and of civil war are an immense obstacle to the proper and efficient discharge by the Chinese of the obligations that became incumbent upon them from the moment that we surrendered any of those privileges. We can only watch the development of affairs and proceed along that path as circumstances may render further progress possible. Of the reductions in the defence force, both naval and military, mention is made in the Gracious Speech. The land forces numbered about 12,500. They are already reduced to about 4,500 and orders have been given for the withdrawal of another battalion.

I shall be as glad as hon. Members in any part of the House when conditions of order and security in China make a total withdrawal of that force possible, but that time has not yet arrived, and no

responsible Government could leave our concessions there until there is a more normal state of things prevailing. I must mention with regret the failure of any Chinese authorities in that part of the country to give any satisfaction up to date for the outrages perpetrated in Nanking. It is impossible for our Consul-General to reoccupy the Consulate, which even at this moment is occupied wrongfully and unlawfully by Chinese troops, and no sort of satisfaction has hitherto been offered for the outrage, either to life, or property, or national dignity, which was inflicted upon us, as well as upon other nations, in that place.

On a broad review, the situation is undoubtedly better than it was a year ago. The particular anti-foreign campaign, and the agitation which was carried on, and, at that time was of a still more anti-British character, has changed and I think there is beginning to appear among the Chinese people a better appreciation of the real goodwill of His Majesty's Government and of the British people, and they are beginning to consider, as they did not at the time consider, the liberality and the friendship implied and involved, not only in the declaration which we published a year ago, but in our actions since that time. That, I think, covers the ground of the inquiries which were put to me in regard to China. I might add that His Majesty's Minister is now on his way to visit Hong Kong and Canton, and he will, before his return to Pekin, also visit Shanghai and the Yangtze again. I may, in passing, note with great satisfaction the friendly relations which at present exist between the authorities in Canton and the Colonial Government of Hong Kong.

The next subject of foreign affairs, to which the Leader of the Opposition referred, is the Geneva Conference. We have already had some discussion in this House in regard to the three-Power Naval Conference in Geneva. . . . I regret the failure [of the Conference]. His Majesty's Government regret, as I have no doubt the Government of the United States regret, the failure of their honest efforts, and our honest efforts, in association with a third friendly Power—Japan—to carry further forward the work of the limitation of naval armaments which was begun at Washington. I do not think, and I do not believe that any other Government thinks, that we should be well advised to take up that subject again at this moment, but I hope that we, who were there represented, and other Governments who were interested but not parties to that Conference, may learn something from that failure, and when the time comes to review the Washington Convention, if they will profit by the lessons of the past, we may succeed where last year we failed.

There are other negotiations into which we shall have to enter with

the United States of America. The Leader of the Liberal party inquired as to the proposals for an arbitration which are now before us. The Treaty submitted for our consideration was *mutatis mutandis* the same as that submitted to the French Government. . . . The right hon. Gentleman inquired whether the new proposals were different from, or whether they were more than, the existing Treaty. He asked whether they were 'all-in' proposals, and he suggested that it would be an immense advantage if every cause of difference between the two countries could be referred to a joint judicial tribunal. I can say this much. The new Treaty, like the old Treaty, is not an unlimited Treaty of Arbitration on every head. Like the old Root-Bryce Treaty, it is confined to what are called justiciable differences. More than that, like the old Treaty, it excepts certain questions from its scope, even though they be justiciable. It proposes, not, indeed, a repetition of the old reservations, but the adoption of new reservations or exceptions in their place, and the exact effect of those reservations is just one of the many important questions which His Majesty's Government are at this time carefully examining, in order to ascertain whether the Treaty is, in fact, of wider scope, or whether it is narrower in scope, and, in either case, in what the difference consists.

There is a third restrictive element which prevents this from being a complete all-in agreement for arbitration, which is also common to it, and to our existing Treaty. The American Government find it necessary to reserve the constitutional right of the Senate to be consulted on each individual reference to a Court of Arbitration. That is a reservation which, as I have said, finds a place in our existing Treaty, but it is a reservation of very wide scope and of a most important character. Even a very cursory survey of those great compositions of international difficulties which we are accustomed rather loosely to describe as arbitrations—though in many cases they have been processes of conciliation, and not of arbitration in the strict sense of the term—a very cursory review of the history of those cases shows the immense importance of the terms of reference in many of the most striking instances which have been given. The answer, therefore, to the right hon. Gentleman, is, that this is not a great unlimited agreement which is proposed, but that it is an agreement subject to limitations and reservations, partly repeated from the old Treaty and partly in substitution for those which were involved; and we must consider the matter thoroughly, and must, of course, enter into the fullest correspondence and consultation with the Governments of His Majesty's Dominions overseas, before we give our answers to the proposal which has been made.

I would sooner not enter into the text of the Treaty, if I may be allowed. . . . There is, however, one observation that I wanted to make before leaving the speech of the right hon. Gentleman, and it is connected, I think, with the question which the right hon. Gentleman the Member for North Norfolk (Mr. Buxton) has just put to me. The right hon. Gentleman the Leader of the Liberal Party, as I have said, delivered an *obiter dictum* that he was implying that it was in the interests of arbitration that every dispute between nations should be referred to a judicial tribunal. I venture to differ, and I hope that the right hon. Gentleman will reconsider his attitude on that matter. A judicial tribunal is eminently the right tribunal to try a justiciable point, that is to say, a point which can be determined by a rule of law; but I do not think that a judicial tribunal is the best one in which to seek a solution of political differences not determinable by any rule of law, such as sometimes have been the cause of the greatest difficulty, and have given rise most frequently to war.

There is, however, a second Treaty existing between ourselves and the United States, to which I think sometimes insufficient attention is paid, namely, the Bryan-Spring-Rice Treaty, which provides, not, indeed, that there should be no recourse to war, not, indeed, a judicial tribunal for the trial and decision of all differences, but provides that any dispute between us should be referred to a commission of conciliation, that a year's time should be given, and that we should await the report of that commission before we take to arms. I am not at all sure that, at the present stage in Europe, it may not be the case that the next advances may be made rather along the lines of the Bryan Treaty than along the strict lines of arbitral agreements. At any rate, when we talk of the treaties of arbitration, do not let us forget the very important and very useful and salutary provision of the treaty which was signed by Mr. Bryan and the late Sir Cecil Spring-Rice. . . .

I can scarcely speak of arbitration with the United States, either in its narrower or in its larger sense, as implying every process for the friendly settlement of any differences between us, without saying once again that whatever our machinery is—and let us make it the best we can—for a British Government, war with the United States is unthinkable, and the prospect of a war with the United States, or preparation for a war with the United States, has never been and never will be the basis of our policy in anything. I was interested the other day to note the evidence given before the American Congress by the Secretary of the United States Navy. Throughout his testimony the Secretary of the Navy repeatedly insisted that, in putting

forward the programme of naval construction which is now being considered, the Navy Department had no thought of entering into a race for armaments with any foreign Power. He stated that the United States have not engaged in competitive building of warships, and do not intend to do so; and he added that, in preparing the programme before them, the General Board had considered primarily the United States Navy's own needs, and that such needs were only indirectly related to the strength of other navies and their construction and replacement programmes. He emphasized the fact that the Washington Treaty left all its signatories free to build as they chose in all types except capital ships, subject, of course, to the limitation that no such vessel should exceed 10,000 tons in displacement, or carry guns of greater calibre than eight inches; and, in reply to a question, he specifically stated—and I am glad that he did, for I hope it will put an end once and for all to rumours which ought never to have had any currency—that: 'Because Great Britain, for instance, has built a larger tonnage of cruisers than we have chosen to build, it is no imputation on her part of any departure from either the letter or the spirit of the Treaty'—that is to say, the Washington Treaty. He added that, if the United States had chosen to build more than other Powers, it would have been strictly in accordance with the treaty; and in his original statement—that was in answer to a question—he went so far as to say that the 5–5–3 ratio in types of ships not covered by the Washington Treaty would be competitive, inasmuch as such a programme would be directly dependent upon the plans of others. I think that that is an almost hyper-criticism of a proposal to restrict numbers by agreement, but, at any rate, he made it clear that there has been no breach of faith, no infringement, either of the letter, or of the spirit, of the Washington Treaty on the part of His Majesty's Government; and I can say for our Government, as he said for his, that our building is not competitive, and that our programmes are framed only with a view to the necessary protection of our British interests. That these programmes will be modified—and the failure of the Conference has not lessened our desire that they should be modified—is, I think, sufficiently shown by the action we have taken, on a review of the present conditions, in lessening the announced programme for the present two years. I hope I have dealt adequately and to the satisfaction of the House with the questions which were put to me yesterday.

I am glad to repeat, in conclusion, my acknowledgements to the right hon. Gentleman the Leader of the Opposition, as well as the right hon. Gentleman the Leader of the Liberal party, for their

friendly tone in regard to China, and I shall hope to continue, not merely in China but elsewhere, to conduct a policy which all parties in this country can approve and support.

2. SPEECH BY MR. BALDWIN, AT THE LORD MAYOR'S BANQUET,  
NOVEMBER 9, 1928<sup>1</sup>

Mr. Baldwin, responding, said: 'To-night is the sixth occasion on which I have been privileged to respond to this toast, and it is four years ago to-night since the present Government, now entering on its last year, had just taken office. The history of those four years in Europe has been a history of stabilization and reconstruction, a policy based upon, and rendered possible, by two outstanding events. First, the London Agreement, for which great credit was due to my predecessor, placed the reparations problem on a workable commercial basis, and removed it out of the cockpit of political controversy and animosities. Second, the Treaty of Locarno, which terminated once and for all the war period, and reintroduced Germany into the comity of nations. It is true that since then there have been no sensational or spectacular achievements as those were, but the contrast now and four years ago is a real one. Enmities in Europe have disappeared or are disappearing. The world has healed or is healing. Currencies have been stabilized, and though there may be grave economic problems still to be solved, their solution is being approached in a new spirit of goodwill.

There is more and more throughout Europe, and throughout the world to-day, that feeling of the necessity of the nations getting closer and closer together. We were divided four years ago into two camps, the victors and the vanquished. That distinction exists no longer. I hope those words will be forgotten. We have all learned the lesson of conciliation and co-operation and goodwill, without which progress in the world is impossible. We have learnt our lesson, all of us, in a hard school, but I believe we have learned in such a way that we shall not forget it.

*Relations with France*

With France we have sought the closest co-operation, and a progressive improvement has taken place during the last five or six years in our relations, which had been marked by certain vicissitudes after the war. But now all that is far behind, for we understand each other perhaps better than we have ever done before. And the fact that this improvement, which has come with the years in our relations, has been followed by a striking change in the internal condition of Germany, as

<sup>1</sup> *The Times*, November 10, 1928.

well as in her relations with France, is the best proof, if proof were needed, that close co-operation between London and Paris does not, cannot, and shall not react to the detriment of Germany or of any other Power. On the contrary, the expansion of that co-operation into the wider co-operation of Locarno still forms the keystone of the European arch, and still constitutes the policy of His Majesty's Government.

Peace means not less co-operation but more, and the fact that His Majesty's Government so often begin by seeking co-operation with their nearest neighbour does not mean that they are in the slightest degree less eager to co-operate with others.

Before I pass from France, I wish to pay a tribute to a remarkable Power, and the efforts of the whole French people in repairing the devastations of the war, in re-equipping their industries, and restoring stability to a currency which, at one time, it seemed that nothing could save from collapse.

We find the same spirit of reconstruction in Belgium, among the people whose suffering during the war might have left them crushed for all time. Belgium and Great Britain are the most highly industrialized and thickly populated countries in Europe, and have many problems and interests in common. Above all the interests of peace is an essential basis for that trade by which they live.

#### *Germany*

Then look to-day at Germany. Four years ago she had just emerged from the abyss of financial, political, and economic collapse. She has more than re-established her position as a great industrial country. She is on the high road to recovery of that wealth and prosperity which four years ago she seemed to have irretrievably lost. I have mentioned that she has re-entered into the Councils of Europe. Since then the Military Commission of Control has been withdrawn from Germany, and commercial treaties have been concluded between Germany and this country, and Germany and France. Her relations with her former enemies are, in fact, restored to a position of mutual frankness and understanding. She stands to-day as a great country among her equals, and she owes that largely to the genius of Dr. Stresemann, to whom every one in this room will wish a speedy recovery to health.

I would turn for a moment to Central Europe. The task there, as in other countries, is of internal reorganization, not only reconstruction, and I think on the whole steady progress is being made. Czechoslovakia, who only a few days ago celebrated the tenth anniversary

of her independence, has set an example to all the new States, under the wise leadership of President Masaryk and Dr. Benes. Her careful finance, her prudent foreign policy, are examples to us all. She is now one of the most stable elements in Central Europe. Jugo-Slavia and Rumania have had great difficulties to surmount in welding together their various territories, which have been governed, up to the war time—up to the end of the war—by widely differing systems. I trust that the efforts they are making will be crowned with speedy and complete success.

Greece has had her problems. She has had to liquidate the results of the ill-starred war with Turkey, which resulted in that vast influx of refugees from Asia Minor. There the League of Nations stepped in to aid with a loan, the Refugee Commission and the refugees are now, for the most part, established in their new home, and I am convinced that, as the new population takes root, Greece will be found to have had a great accession of strength. A further loan is being arranged to balance her Budget, to stabilize her currency, and to help in reclamation work. We were glad to receive in London last month a visit from Mr. Venizelos, who has done more than any man for his country and who is to be congratulated—if it be a matter for congratulations—(laughter)—on his return to politics.

### *Italy*

In Italy, the last four years have been devoted to testing and applying that new system of government, the object of which is to develop and utilize to the utmost the energies of the whole nation. I need not recount to you the achievements of Signor Mussolini. (Cheers.) The position which Italy occupies to-day, politically and economically, is a proof of the success of the efforts of the Italians during the last four years. (Cheers.) Meanwhile, the secular friendship which has existed between Italy and this country for so long has not only been maintained, but strengthened, by the close co-operation of the two Governments, in the many prominent European problems with which they have been faced. I am sure that my friend, the retiring Lord Mayor, and all this company, would like me in conclusion, in speaking of Italy, to say with what pleasure we received in London last summer the distinguished Governor of Rome.

My old friend the Spanish Ambassador made a reference in his speech which I must follow up. I should like to ask him to express to his country the delight of our Government, and of our people, that his great country have rescinded their notice of withdrawal from the League of Nations.

It is with much pleasure that I see here to-night many representatives of the great and growing nations of South America. A warm friendship exists between Great Britain and those nations. It is always a source of satisfaction to me to realize how intimately this country has been concerned with the fortunes of that great South American Continent, in whose history the names of more than one of our fellow-countrymen are honourably remembered.

### *Japan*

To-morrow is the coronation of his Imperial Majesty, the Emperor of Japan. We wish him a long reign, peace and prosperity. The friendship between his country and ours is one of long standing, that has been sealed by an historic alliance, and that alliance still flourishes and is the strongest guarantee for peace in the Far East. I hope that Mr. Saburi will convey to his Government an expression of the friendly and happy anticipation with which we in England look forward to the new reign. We have taken a personal interest in the fortunes of the young Emperor. We remember his visit seven years ago. We remember the interest he took in this country, and we are grateful for it.

The position in China, a matter which affects this great city, has shown marked signs of improvement. Civil war is ended, a central Government is formed which has a claim to authority over the greater part of the country. That Government has great difficulties before it, but it has a constructive programme, and we hope it will prove strong enough to give effect to it. Our policy in China during these three dangerous years has been, as you know, on the one hand, to defend the lives of our own people, and, on the other, to take the fullest measures practicable, in the position, to meet the national aspirations of the Chinese themselves.

We have been successful, I believe, in both our endeavours. The dispatch of the defence force to Shanghai undoubtedly saved the lives of many people, not only British but Chinese, and prevented in that great city what might have been a catastrophe. And, on the other hand, the good relations now existing between us and the Chinese National Government, established since the settlement of the Nanking incident, are the best proof that the Chinese themselves are appreciating our friendly feelings, and, now that they have definitely rejected the counsels of the Third International, they have realized that these were not given in the interests of China, but in the interests of world revolution. We believe that if they now turn to us for advice and for assistance they will not find us unresponsive.

There is one other guest the City have had the honour of entertaining this year, and I would say one word of the visit of King Amanullah and Queen Souriya to this country and this city. Since the treaty with Afghanistan seven years ago, and the appointment a year later of Ministers in London and in Kabul, the relations between our two countries have steadily improved, and the establishment of personal contact between the Ministers, and, above all, the visit of his Majesty and his gracious consort, have not only greatly facilitated the friendly relations of these two countries, but have cemented the ties of friendship that were then formed. We remember with great pleasure that visit, and it is a source of satisfaction to us to know that King Amanullah has frequently expressed his warm appreciation of the reception he had from his Majesty's Government and from the people of the United Kingdom.

### *The League of Nations*

Now there are a few words I should like to say in conclusion. Mention has been made by the Spanish Ambassador, and mention has been made during my speech, of the League of Nations. The League of Nations is helping in ways not always obvious to that peace which we all desire. Peace is to be made in effect by statesmen, and statesmen are fallible instruments, but nothing but good comes from those constant meetings of statesmen in the League of Nations. They learn there exactly what regard has to be paid to the peculiarities of individual personalities, and they can realize there what all people want to realize—that is, to have the vision to apprehend the effect of environment and tradition on the men who come from countries other than their own.

Nothing but good can come from this intercourse, and I believe nothing but good can come from the intercourse between those who, under the auspices of the League of Nations, are working in Europe to-day to improve labour conditions in all the countries of Europe.

The more the industries of Europe can get together both employers and labour, to thrash out their problems together, to alleviate together the conditions of the people, the more would the nations understand each other, and, by that understanding, the less likely would they be to fight. The whole world to-day, under the influence of the development of transport and applied science, is contracting. The land is shrinking and the oceans are drying up, and the peoples of the world are jostling each other elbow to elbow.

Though that might have a tendency to make some nervous people more quarrelsome, it would help them to realize, in a way they

had never realized before, that they all belonged to the one human family.

There are two things to-day that I believe will help materially to peace. I came down one Sunday morning at Chequers and went to the wireless set to try all round Europe to see if there was anything coming through at 9 a.m. By chance I struck some excellent music in Berlin and heard the singing of a hymn. I thought immediately that when the day comes, when nearly every cottage in this country can switch on to any station in Europe and hear the peoples of Europe at their music and dancing and hymn-singing and prayer, what a bond that will be throughout the world.

Look back on your own childhood, and the people in the country you used to talk to. We in England regarded every one who lived across the seas as savages and pagans. We knew nothing about them ; we were not interested in them. They were "those foreigners". When the mass of the people realize that the people in every country in Europe are human beings like themselves, with a family, a wireless set, service on Sunday, dancing in the evening, and lectures, that presents a very different aspect, and I believe that wireless is going to be one of the greatest bonds between the common people of the whole world, and it is the common people in the long run who will decide whether there will be war or not.'

#### *The Kellogg Pact*

Mr. Baldwin went on to refer to the Kellogg Pact. He said, 'I wish Mr. Houghton were here to-night. In the absence of the American Ambassador, I would say I believe that the time may come when, in the histories of this period, there will be no greater act credited to the United States than that in this year. She had the highest honour of voicing the aspirations of mankind in presenting the pact for signature.

Let us remember what it is we have signed. It is so tremendous a thing that few of us realize it. The result of that signature will mean nothing unless the nations, realizing to what they are committed, make up their minds that that signature shall be honoured to the end of time. For a nation, that has signed that pact, has to keep before its mind, whenever it examines its own armaments and prepares its estimates, what the implications of that pact are. When so much of the world as has signed that pact realizes and believes the implications of it, then for the first time will the nations be able to talk disarmament in a way that will lead us into that path.

Believe me, the alternative before us in Europe is very simple, and the choice should be easy. We either keep faith with the spirit of the

pact we have signed, or in time we go down the steep places together like the Gadarene swine and perish eternally. There are representatives of many great nations here to-night. Let us grasp this opportunity which has been given us for a new start, with both hands, and go forward with a new faith and a new hope.' (Cheers.)

## VI. GREECE

### 1. TREATY OF NON-AGGRESSION AND ARBITRATION BETWEEN GREECE AND RUMANIA, MARCH 12, 1928<sup>1</sup>

Le Président de la République Hellénique et Sa Majesté le Roi de Roumanie,

Soucieux de maintenir l'ordre de choses établi par les Traités et de suivre, en toutes circonstances, une politique de concorde et de paix,

Considérant que la fidèle observation des procédures pacifiques permet d'arriver au règlement de tous les différends internationaux, sans jamais avoir recours à la force,

Estimant qu'il est de leur devoir de contribuer pour leur part à la consécration pratique de ce principe,

Tenant compte des liens de cordiale amitié et de confiance mutuelle, ainsi que de la communauté d'intérêts et d'idéal de paix qui ont toujours existé entre leurs pays,

Ont résolu de conclure à ces fins un Pacte de non-agression et d'arbitrage et ont désigné pour leurs plénipotentiaires :

Le Président de la République Hellénique :

Monsieur ANDRÉ MICHALAKOPOULOS, Ministre des Affaires Étrangères ;

Sa Majesté le Roi de Roumanie :

Monsieur NICOLAS TITULESCO, Ministre des Affaires Étrangères,

Lesquels sont convenus ad-referendum auprès de leurs chefs d'Etat et Gouvernements respectifs des dispositions suivantes :

#### Article 1

Les Hautes Parties contractantes s'engagent réciproquement à ne se livrer l'une contre l'autre à aucune attaque ou invasion, et à ne recourir l'une contre l'autre, en aucun cas, à la guerre.

Toutefois ces stipulations ne s'appliquent pas s'il s'agit :

(1) de l'exercice du droit de légitime défense ;

<sup>1</sup> Official text as issued by the Greek and Rumanian Ministries of Foreign Affairs.

- (2) d'une action à l'application de l'article 16 du Pacte de la Société des Nations ;
- (3) d'une action en raison d'une décision prise par l'Assemblée ou par le Conseil de la Société des Nations ou en application de l'article 15, alinéa 7, du Pacte de la Société des Nations, pourvu que, dans ce dernier cas, cette action soit dirigée contre celui qui, le premier, s'est livré à une attaque.

### Article 2

Si l'une des Hautes Parties contractantes estime qu'une violation de l'article précédent a été ou est commise, elle portera immédiatement la question devant le conseil de la Société des Nations.

### Article 3

Les Hautes Parties contractantes s'engagent à résoudre par voie de conciliation ou de règlement judiciaire ou arbitrale, et de la manière prévue ci-après, toutes les questions, de quelque nature qu'elle soit, qui viendraient à les diviser et qui n'auraient pu être résolues par les procédés diplomatiques ordinaires.

Toutefois cet engagement ne s'applique pas :

- (1) aux différends se rattachant à des faits antérieurs au présent Pacte ;
- (2) aux différends relatifs à des prétentions que des particuliers auraient contre l'une des Hautes Parties contractantes, et qui seront définitivement tranchés par les juridictions nationales compétentes de l'une ou de l'autre des Hautes Parties contractantes ;
- (3) aux différends portant sur des questions que le droit international laisse à la compétence exclusive des États, tel que le droit interne ;
- (4) aux différends ayant trait au statut territorial des Hautes Parties contractantes ou affectant leurs intérêts vitaux.

### Article 4

Les différends, pour la solution desquels une procédure spéciale est prévue par d'autres conventions en vigueur entre les Hautes Parties contractantes, seront réglés conformément aux dispositions de ces conventions.

### Article 5

Les différends rentrant dans les termes de l'article 3 et qui seraient purement juridiques seront soumis pour jugement à la Cour Permanente de Justice Internationale, à moins que les Parties ne tombent

d'accord, dans les termes prévus ci-après, pour recourir à un Tribunal arbitral. S'il y avait divergence sur le point de savoir si le différend est d'ordre purement juridique, la question sera soumise, à la requête de l'une ou de l'autre des parties, à l'examen du Conseil de la Société des Nations, en vertu de l'article 11, alinéa 2, du Pacte de la Société des Nations.

Les Parties s'engagent à se conformer à la recommandation unanime du Conseil de la Société des Nations.

#### Article 6

Si les Parties sont d'accord pour soumettre le différend à un Tribunal arbitral, elles rédigeront un compromis. Au cas où elles ne seraient pas d'accord de se référer, purement et simplement, à la Convention de la Haye du 18 Octobre 1907, pour le règlement pacifique des conflits internationaux, elles détermineraient, dans ce compromis, outre le choix des arbitres et l'objet du litige, les modalités de la procédure et les règles de fond à appliquer par les arbitres.

#### Article 7

Si les parties sont d'accord pour soumettre le différend à un Tribunal arbitral et, à défaut d'accord entre les Parties, sur le compromis visé à l'article précédent, ou à défaut de désignation d'arbitres, et après un préavis de trois mois, l'une ou l'autre d'entre elles aura la faculté de porter directement, par voie de requête, le différend devant la Cour Permanente de Justice Internationale.

#### Article 8

L'arrêt de la Cour Permanente de Justice Internationale ou la sentence du Tribunal arbitral sera exécuté de bonne foi par les Parties.

Les difficultés, auxquelles l'interprétation ou l'exécution des arrêts de la Cour Permanente de Justice Internationale, ou des sentences arbitrales rendus dans les conditions ci-dessus prévues, pourraient donner lieu, seront tranchées par la Cour Permanente de Justice Internationale, saisie à la requête de l'une ou de l'autre des parties.

#### Article 9

Avant toute procédure arbitrale, ou avant toute procédure devant la Cour Permanente de Justice Internationale dans les conditions ci-dessus prévues, le différend pourra être, d'un commun accord entre les parties, soumis à la procédure de conciliation prévue par le présent Pacte.

En cas d'échec de la tentative de conciliation et après l'expiration

du délai prévu à l'article 21, la Cour Permanente de Justice Internationale, ou le Tribunal arbitral, selon le cas, pourront être saisis du différend dans les conditions prévues dans les articles précédents.

#### Article 10

Tous différends rentrant dans les termes de l'article 3 et qui ne seraient pas de nature purement juridique et partant non susceptible d'être soumis à la procédure d'arbitrage visée ci-dessus, seront soumis obligatoirement à la procédure de conciliation prévue par les dispositions suivantes.

#### Article 11

Sur la demande adressée, à cet effet, par une des parties contractantes à l'autre, il devra être constitué dans les trois mois une Commission permanente de conciliation.

#### Article 12

La Commission permanente de conciliation sera composée de trois membres. Les Hautes Parties contractantes nommeront chacune un commissaire choisi parmi leurs nationaux respectifs. Elles désigneront, d'un commun accord, le président, qui ne devra ni être ressortissant des Hautes Parties contractantes, ni avoir sa résidence habituelle sur leurs territoires, ni se trouver à leurs services. Si la nomination du président n'intervient pas dans le délai prévu à l'article précédent, ou, en cas de remplacement, dans les trois mois à compter de la vacance du siège, il sera désigné, à défaut d'entente entre les parties, et à la requête de l'une d'entre elles, par le Président de la Confédération Helvétique, s'il y consent.

Les Commissaires sont nommés pour trois ans. Ils seront rééligibles. Ils resteront en fonctions jusqu'à leur remplacement et, en tous les cas, jusqu'à l'expiration de leur mandat.

Tant que la procédure n'est pas ouverte, chacune des Hautes Parties contractantes aura le droit de révoquer le Commissaire nommé par elle et de lui désigner un successeur. Elle aura aussi le droit de retirer son consentement à la nomination du Président.

Il sera pourvu, dans le plus bref délai, aux vacances qui viendraient à se produire par suite d'expiration de mandat, de révocation, de décès, de démission ou de quelqu'autre empêchement, en suivant le mode fixé pour les nominations.

#### Article 13

La Commission de conciliation sera saisie par voie de requête adressée au Président, par les deux parties, agissant d'un commun

accord, ou, à défaut, par l'une ou l'autre des parties. La requête, après avoir exposé l'object du litige, contiendra l'invitation à la Commission de procéder à toutes mesures propres à conduire à une conciliation.

Si la requête émane d'une seule des parties, elle sera notifiée en même temps par celle-ci à l'autre partie.

#### Article 14

Dans un délai de quinze jours à partir de la date où l'une des parties aura porté un différend devant la Commission de conciliation, chacune des parties pourra, pour l'examen de ce différend, remplacer son Commissaire par une personne possédant une compétence spéciale dans la matière.

La partie qui userait de ce droit en fera immédiatement la notification à l'autre partie ; celle-ci aura, dans ce cas, la faculté d'agir de même dans un délai de quinze jours à partir de la date où la notification lui sera parvenue.

#### Article 15

La Commission de conciliation se réunira, sauf accord contraire des parties, au lieu désigné par son Président.

#### Article 16

La Commission de conciliation aura pour tâche d'élucider les questions en litige, de recueillir à cette fin toutes les informations utiles et de s'efforcer de concilier les parties.

Après examen de l'affaire elle formulera, dans un rapport, des propositions en vue du règlement du différend.

#### Article 17

La procédure devant la Commission de conciliation sera contradictoire.

La Commission réglera elle-même la procédure en tenant compte, sauf décisions contraires prises à l'unanimité, des dispositions contenues au titre III de la Convention de La Haye, du 18 Octobre 1907, pour le règlement pacifique des conflits internationaux.

#### Article 18

Les délibérations de la Commission de conciliation auront lieu à huis clos, à moins que la commission, d'accord avec les Parties, n'en décide autrement.

#### Article 19

Les Parties auront le droit de nommer auprès de la Commission des agents, conseils et experts, qui serviront en même temps d'inter-

médiaires entre elles et la Commission, ainsi que de demander l'audition de toute personne dont le témoignage leur paraîtrait utile.

La Commission aura, de son côté, la faculté de demander des explications orales aux agents, conseils et experts des deux parties ainsi qu'à toute personne qu'elle jugerait utile de faire comparaître, avec l'assentiment de leurs Gouvernements.

#### Article 20

Les Parties s'engagent à faciliter les travaux de la Commission de conciliation, et en particulier à lui fournir, dans la plus large mesure possible, tous documents et informations utiles, ainsi qu'à user de tous les moyens dont elles disposent d'après leurs législations pour lui permettre de procéder à la citation et à l'audition des témoins ou d'experts.

#### Article 21

La Commission de conciliation présentera son rapport dans les quatre mois à compter du jour où elle a été saisie du différend, à moins que les Parties ne conviennent de prolonger ce délai.

Un exemplaire du rapport sera remis à chacune des parties. Le rapport n'aura, ni quant à l'exposé des faits, ni quant aux considérations juridiques, le caractère d'une sentence arbitrale.

#### Article 22

La Commission de conciliation fixera le délai dans lequel les parties auront à se prononcer au sujet des propositions de règlement contenues dans son rapport. Ce délai ne dépassera pas trois mois.

#### Article 23

Pendant la durée de leurs travaux, chacun des Commissaires recevra une indemnité dont le montant sera arrêté de commun accord des parties qui en supporteront chacun une partie égale.

Les frais généraux occasionnés par le fonctionnement de la Commission seront répartis de la même façon.

#### Article 24

Si l'une des parties n'accepte pas les propositions de la Commission de conciliation, ou ne se prononce pas dans le délai fixé par son rapport, la question sera, à la requête de l'une ou de l'autre Partie, portée devant le Conseil de la Société des Nations, qui statuera conformément à l'article 15 du Pacte de la Société.

Cette disposition ne s'applique pas dans l'hypothèse prévue à l'article 9.

## Article 25

Le présent Pacte, conforme au Pacte de la Société des Nations, ne pourra être interprété comme restreignant la mission de celle-ci de prendre, à tout moment, et nonobstant toute procédure de conciliation et d'arbitrage, les mesures propres à sauvegarder efficacement la paix du monde.

## Article 26

Le présent Pacte sera ratifié, et les instruments de ratification en seront échangés, dans le plus bref délai.

Le Pacte entrera en vigueur dès l'échange des ratifications. Il est conclu pour la durée de dix ans, à compter de son entrée en vigueur.

S'il n'est pas dénoncé six mois avant l'expiration de ce terme, il sera censé être renouvelé pour une nouvelle période de cinq ans et ainsi de suite.

Si une procédure de conciliation ou une procédure arbitrale ou judiciaire est pendante lors de l'expiration du présent pacte, elle suivra son cours conformément aux dispositions du présent Pacte, à moins que les Parties n'en conviennent autrement.

Fait à Genève, en double exemplaire, le douze mars mil neuf cent vingt-huit.

## 2. MINISTERIAL DECLARATION OF M. VENIZELOS, OCTOBER 22, 1928

Gentlemen,—I am happy to address you here to-day for the first time after the constitution of the legislative corps. . . .

To-day I hope you will allow me to call your attention to one point in the Governmental programme. It is the regulation of our relations with our neighbours.

You already know that a pact of friendship on a very broad basis has been signed between Greece and Italy.<sup>1</sup> It is an agreeable duty for me to express, to the preceding Cabinets, the thanks of the present Ministry for all they have done, by systematic work, towards improving our relations with the great neighbouring Mediterranean Power, and for having made those relations increasingly friendly, so that the signature of a pact of friendship became the natural crowning point of all the preceding work. We all know, moreover, that the preceding Government had also begun negotiations for the simultaneous conclusion of a pact with Italy and Turkey. The present Government has considered that it could not persist any longer in trying to establish a connexion between these two pacts. The preceding Government had itself begun to adopt this idea, and, if it had remained in power,

<sup>1</sup> For text of this treaty see *infra*, *Italy*, p. 148.

it probably would have proceeded to the signature of the Italo-Greek pact, without awaiting the simultaneous signature of the Greco-Turkish pact.

I am happy to say that the signature of this pact has been approved generally. And I am convinced that it not only constitutes a guarantee of peace in the future, but that it is also the immediate confirmation of the fact that our relations with the great neighbouring Mediterranean Power will henceforth be just as close and sincere as our relations with the two great Western Powers, towards which our friendship is traditional. I want, at the same time, to express my gratitude to the Chief of the Italian Government for the precious proof of his friendly attitude towards, and his confidence in, Greece, which he has shown by accepting, in virtue of the signed pact, that every dispute which may arise between the two countries shall be referred to the procedure of conciliation and, if that fails, to arbitration.<sup>1</sup>

I am also happy to say that, by the protocol signed (with Yugoslavia) at Belgrade, all the thorny questions which have separated the two countries have been settled. And when, in the course of the next few weeks, the technical details, composing the five additional protocols which the preceding Government had submitted to Belgrade some time ago, shall have been settled, these questions will also be finally regulated, and at the same time a pact of friendship on a very broad basis will be signed between the two States, thus constituting a solid basis for the traditional relations of friendship that have been happily re-established between ourselves and our northern neighbour.

On this occasion I must pay a public tribute to the Administration of the Salonica Zone. By its good management and functioning, it has contributed in a large measure to the happy smoothing out of the differences which existed between Athens and Belgrade. As M. Marinkovich had assured me in Paris, the misunderstandings had their source principally in the fact that we had not been able, during the first years after the war, to meet the needs of the Yugoslav trade.

This inability, as I have explained, was due to the lack of rolling stock. The Kingdom of the Serbs, Croats and Slovenes had also suffered from this want during the first years after the war, but it was able to remedy it long before we could, as we had to struggle with the consequences of the catastrophe in Asia Minor, and with the difficulties arising for Greece from the influx of refugees to her territory.

<sup>1</sup> For Ismet Pasha's statement on Greco-Turkish relations see *infra, Turkey*, p. 221.

M. Marinkovich added that so long as the Greek free zone will serve the Yugoslav commerce as well as it does to-day, the Government of the Serbs, Croats and Slovenes does not intend to spend the large sums required for the organization of the Serbian zone. It would do so, only, when the zone should prove in the future to be insufficient to meet the requirements of the Serbian trade. The probability of such an eventuality is excluded, not only by reason of the actual functioning of the Greek zone, but also by the firm determination of the Government to furnish its administration with all the necessary means for the steady development of the zone, so that eventually the latter may rival with the free zones functioning elsewhere.

Besides the signature of the pact of friendship with the Kingdom of the Serbs, Croats and Slovenes, we shall work, as I explained in my platform-speech at Salonica, for the conclusion of similar pacts with Turkey, Bulgaria and Albania. The correspondence exchanged with Ismet Pasha and Rushdi Bey, and Ismet Pasha's invitation to me to come to Angora for the signature of this pact, which invitation I have already accepted, show that there is on both sides a very sincere desire to settle our relations on the basis of a cordial understanding, which will promote the development of the commerical and economic relations to the advantage of both countries, and will make them important factors in the general effort to assure peace in the Near East. This justifies our hope that the negotiations, which will soon open for the final settlement of the questions arising from the convention on the exchange of population, and from the later technical conventions, will reach a successful end, although we must not disregard the difficulties presented by the settlement of questions which affect the private interests of myriads of citizens of the two countries.

It will be recognized, I hope, that the particular care with which the Government contemplates the settlement of our relations with our neighbours answers the very vital interest of the country to see peace safeguarded permanently. It is only in the framework of undisturbed peace that the other Balkan nations, and we in particular, can devote ourselves to the work of internal reconstruction and economic recovery.

From a ten-year period of wars we have emerged, after the disaster in Asia Minor, with wounds perhaps graver than the wounds of the other nations which had taken part in the war. These wounds can be healed completely, only in the midst of undisturbed peace. Moreover, the settlement of our relations with our neighbours will make it possible to reduce our military expenditures to the extent warranted

by the necessity, in which each country still finds itself, of not neglecting the preparation indispensable to its defence.

It is evident, Gentlemen, that the vicissitudes of ten years of war, the catastrophe in Asia Minor, and the influx to our country of a million and a half of refugees, caused a terrible economic crisis in Greece.

The crisis continues, and its effects are felt by each citizen, and especially by the poorer classes. But if we now cast our eyes to the not distant future, we can see points which promise us better days...

## VII. ITALY

### 1. TEXT OF ITALO-TURKISH TREATY OF NEUTRALITY, CONCILIATION AND JUDICIAL SETTLEMENT, MAY 30, 1928<sup>1</sup>

His Majesty the King of Italy and the President of the Turkish Republic, animated by a desire to strengthen the links of Friendship between their two countries, and at the same time to contribute to the maintenance of general peace, have decided to conclude the Treaty of Neutrality, Conciliation and Judicial Settlement and have nominated for this purpose as their plenipotentiaries the following:

**The King of Italy:**

His Excellency BENITO MUSSOLINI, head of the Government, Prime Minister, Secretary of State for Foreign Affairs;

**The President of the Turkish Republic:**

His Excellency SUAD BEY, Ambassador Extraordinary and Minister Plenipotentiary of the Turkish Republic to His Majesty the King of Italy;

who having been endowed with full plenipotentiary powers and having presented their credentials in due and proper form have signed the following:

#### Article I

The two High Contracting Parties undertake not to enter into any understanding, either political or economic, or into any alliance directed against the other.

#### Article II

If one of the High Contracting Parties, notwithstanding its pacific attitude, is attacked by one or more other Powers, the other Party will observe neutrality throughout the whole period of the conflict.

<sup>1</sup> Translation prepared by the Information Department of the Royal Institute of International Affairs.

**Article III**

The High Contracting Parties undertake to submit to conciliation disputes of any kind which might arise between them, and which cannot be dealt with by ordinary diplomatic means. In the case of the failure of the procedure of conciliation, they will resort to a judicial settlement. The attached Protocol lays down the procedure for conciliation and for judicial settlement. The present Article does not apply to questions which, in virtue of treaties already in existence between the two High Contracting Parties, fall entirely within the competence of one of them. Nor does it apply to those questions which, according to international law, concern national sovereignty.

Each of the High Contracting Parties will determine unilaterally in a written declaration if a question should come within its sovereign rights. Before a question can be submitted to the procedure of conciliation or arbitration, in accordance with the clause of the attached Protocol, it is necessary that it should in its nature conform to the provisions of the present Article. The Arbitrator's decision will be based on the principles of International Law.

**Article IV**

Any questions, which may arise in the interpretation or in the execution of the present Treaty, will be submitted directly on the demand of one Party to the Permanent Court of International Justice at The Hague.

**Article V**

The present Treaty will be ratified as soon as possible, and will come into effect immediately after the exchange of ratifications, which will take place in Rome. It will last for five years, from the date of the exchange of the instruments of ratification. If it should not be denounced six months prior to the expiration of this term, it will remain in force for another period of five years.

Signed at Rome, May 30, 1928, in two copies, which will both be valid, one of which will be deposited in the archives of each of the signatory States.

In sign of which the plenipotentiaries named above have signed and sealed the present Treaty:

BENITO MUSSOLINI

SUAD

*Summary of the Articles of the Protocol attached to the Italo-Turkish Treaty of May 30, 1928.*

Article 1. A permanent Commission of Conciliation to be established, consisting of five members—one national of either party, and three neutrals appointed by mutual agreement, from among whom the President is to be nominated by mutual agreement.

Members of the Commission are to be indemnified, the expenses being borne equally by the Parties.

Article 2. The procedure of conciliation, saving an agreement to the contrary, to be in accordance with the Hague Convention for the Pacific Settlement of International Disputes of October 18, 1907.

Article 3. The Commission shall act, if appealed to by one of the Parties, or if the President and two of the members agree to offer its services.

The Commission to be invested with the competence of a Supreme Tribunal by the Parties.

Article 4. The Commission shall examine the evidence and present a report, with recommendations which shall not be binding, within six months, saving an agreement to alter this period.

It shall fix the period for the replies of the Parties to its recommendations, and during which the dispute can be referred to a judicial settlement, if the conciliation procedure should fail.

Article 5. If the recommendations are not accepted, the Parties can refer the dispute to the Permanent Court of International Justice. If, in the opinion of the Court, the dispute is non-justiciable, it may by agreement of the Parties be decided *ex aequo et bono*.

Article 6. The Contracting Parties shall be able to agree to submit any dispute to an Arbitral Tribunal constituted in accordance with the Hague Convention of 1907.

Article 7. In the case of a juridical settlement, the Court shall act upon a statement of the facts, mutually agreed upon, and presented by the Parties.

Article 8. The decision of the Permanent Court of International Justice shall be binding.

Article 9. If a procedure of conciliation be pending at the moment of the expiration of the treaty, it shall continue in accordance with the regulations of the present Protocol.

**2. SPEECH OF SIGNOR MUSSOLINI IN THE SENATE ON FOREIGN POLICY, JUNE 5, 1928**

*Japan and China*

A country in the Far East which shows the most lively interest in Italian affairs, and in the present political organization of Italy, is Japan. The relations between the two Governments and, I venture to say, between the two nations are most cordial. The volume of trade is small. And yet Japanese exports to Italy in 1927 were approximately of a total value of 119 million lire, and Italian exports

to Japan were valued at approximately 19 million lire, consisting mostly of mercury, automobiles and marble.

Of particular interest to Italy is also the situation in China, whose internal struggles are keeping the constant attention of the diplomatic world and of public opinion at large. After two years of civil war, the Chinese situation was further complicated by an attempted Bolshevik uprising, which now appears to be completely liquidated. The situation, I may say, is still confused and obscure. Generally speaking, Northern China recognizes Marshal Chang Tso-lin as its leader, while the Southern provinces have rallied round the Nationalist Government in Nanking. Between the two are local Governors, who act as they like, and who really do not obey either the North or the South.

A dramatic moment in this struggle took place in the period from September to December 1926, when Great Britain lost her concession in Hankow. It was at that time that the European Powers which had interests in China considered it necessary to send reinforcements and to establish a kind of united European front. Our Government, which already had in China the Royal Ships *Lybia*, *Caboto* and *Carlotto*, sent two other men-of-war, the *Volta* and the *Muggia*. As the situation seems to have acquired a chronic character, with sudden sanguinary upheavals like the one which provoked the recent Japanese intervention in Shantung, the *Volta* has been recalled.

#### *Italo-Chinese Treaty of 1866*

Italian sailors have in all circumstances fulfilled their duty. At present the following military contingents are in China: 80 men of the Legation Guard in Peking, 300 men of the Tientsin battalion and 80 men of the Shanghai contingent. It is rather difficult to determine the deeper significance of the Chinese civil wars and to predict their eventual outcome. One must not pass in silence the prediction that, as a result of these struggles, China may regain her national unity with a block of over 400 million people.

Italy and China have a treaty of friendship, commerce and navigation which goes back to 1866 and the revision of which, so far as the commercial part is concerned, China may demand between July 1 and December 31 of the current year.<sup>1</sup> Analogous treaties with Belgium and Spain have been denounced in their entirety. Such denunciation might have grave consequences to our banking and commercial institutions, and to some eleven Italian apostolic vicarates,

<sup>1</sup> The new Sino-Italian treaty was signed on November 27, 1928. See *infra, China*, p. 231.

which we are resolved to protect as far as possible. One cannot speak of China without mentioning the Italian concession in Tientsin, which is inhabited by approximately 7,500 people, of whom 150 are Italians, 7,000 Chinese and the rest of other nationalities. The political and moral importance of this most distant post of Italian civilization in the Far East is self-evident. It may be of interest to you, honourable Senators, to know that the budget of the Concession, though small, has closed with a surplus of 600,000 lire.

To go back and finish with China, we hope the political situation there will clear up and become settled, so that we may maintain the close relations of friendship between Italy and China which have always existed, since the time when Italian travellers traversed those distant countries, where one of the oldest and most interesting civilizations of the world had developed.

#### *Siam, India, and Afghanistan*

From China I pass to Siam. With that State we also had a treaty which was signed in 1868. It was replaced by a treaty of friendship, commerce and navigation signed on May 9, 1926. The volume of our trade is limited; still in 1927, 277 Italian automobiles were exported to Siam. There are possibilities of increasing our trade, now that the treaty of commerce has determined and facilitated the relations.

Much more extensive are the commercial relations between Italy and British India. Our Government considered that, in order to strengthen them, it was fitting to reorganize and increase the Italian consular representation. We have established, therefore, an Italian Vice-Consulate in Madras and a Consulate in Colombo.

A State which deserves particular attention, in view of its geographic position, constitution and power, is Afghanistan. The European tour of King Amanullah Khan began in Italy. This favour shown to us comes from the fact that Italy was the first Allied Power to recognize the independence of Afghanistan, proclaimed in 1919. Italo-Afghan trade is at present very small, due, on the one hand, to the geographic situation of Afghanistan, an ultra-continental country wedged between India and Russia and separated from the sea by hundreds of miles, and, on the other, to the fact that Afghanistan has no railways and no banking system. However, Italy has recently concluded contracts for the delivery of military supplies and automobiles, and a mission of technical experts is now being prepared. It is also important, from the standpoint of Italian prestige in Central Asia, that Afghanistan has sent its first twenty-five aviation cadets to the Aeronautical Academy in Caserta. These young men are

already in Caserta. When they return to their country with their pilot licences, they will not forget their sojourn in Italy. It is by means of such exchanges of men and services that relations between nations are fostered.

I am convinced that Afghanistan, a strictly Islamic country, inhabited by strong and warlike races, ruled by a king in whom Oriental traditions are happily blended with the daring of the West, is destined to play a preponderant rôle in the politics of Central Asia.

#### *'Modus Vivendi' with Persia*

The ever cordial relations between Italy and Persia are actually dominated by the question of the renewal of the Italo-Persian treaty of friendship and commerce of 1862, which was denounced by the Teheran Government on May 8, 1927. The treaty relations were not denounced in respect of Italy alone, but also in respect of all other States which had agreements with Persia based on capitulations. The principal aim of the Persian Government's action is, as has been stated, the ultimate liberation of the country from the capitulation system.

The Powers concerned have, for some time past, been engaged in conversations with the Persian Government in order to obtain certain guarantees in place of the lost capitulatory rights, and some of them have already concluded provisional agreements to that effect. As Italian interests are involved in this question, the Government cannot help, of course, being preoccupied with it, and the cordiality, with which the negotiations with the Persian Government are being carried on, makes us believe that in a very short time we shall arrive at a *modus vivendi* on the basis of the most-favoured-nation clause.<sup>1</sup>

The cordiality of the relations between the two countries has been confirmed by the recent request of the Persian Government to the Foreign Ministry for two Italian technical experts, to whom the organization of the Persian State shipping services will be entrusted.

#### *The Yemen and Abyssinia*

Leaving the Indian Ocean and coming to the Red Sea we find another country with which Italy has signed a treaty of friendship and economic relations: the Yemen.<sup>2</sup>

The treaty constitutes an official recognition of the strengthening

<sup>1</sup> The new Italo-Persian treaty was signed on June 29. See *infra, Persia*, p. 209.

<sup>2</sup> For text of this treaty see *infra, The Yemen*, p. 222.

of friendly relations between Italy and the Yemen, and at the same time of the complete independence of the Yemen and its ruler.

Inspired solely by the desire of establishing loyal friendship with the Arabian countries through the pacification of the Emirates and the increase of their economic activity, our action, being greatly favoured by the renewed prestige of Italy, who is a friend of the Moslem world and is conscious of her functions as a great Moslem Power, could not fail to win the approval of the Yemen population and its chief, whose political power found for the first time an opportunity to assert itself in an international act.

The voyage of one of the sons of the Imam Jahia in Italy sealed these friendly political relations, which hold forth the prospects of increased trade between Massawa and Hodeida. An Italo-Arabian company is actually studying this question. The name of Italy is popular in the Yemen, and the only Europeans who for a certain time were able to travel in the Yemen were Italians.

The ruler of the Yemen will never have cause to regret the signature of his first political treaty of friendship and economic relations with Italy.

Crossing the Red Sea, we pass from our first colony to the Ethiopian Empire. The relations with Abyssinia have also become very friendly, especially after the Italian voyage of Ras Tafari. The clouds which agents of other interests had conjured on the horizon of Italo-Abyssinian relations have now disappeared. A treaty of friendship—the first which Abyssinia has signed with a European Power—will in all probability consecrate this new and happy state of affairs.<sup>1</sup>

#### *South America and the United States*

The relations of Italy with all the Republics of Latin America are very cordial. That continent is settled by numerous industrious, and for this reason highly respected, Italian communities. Italy has concluded a political treaty only with one of those states, namely Chile. On February 24, 1927, a treaty of conciliation and judicial settlement was signed between Italy and Chile.

The political, economic and cultural relations between Italy and Argentina and Brazil are excellent, in spite of the absence of treaties.

Brazil has placed some orders for submarines with Italian industrial concerns. The orders from the Argentine navy increased, and this may be considered as a traditional recognition by the great Argentine Republic of the quality of our work and of our skill.

<sup>1</sup> This treaty was signed on August 2. For text see *infra, Abyssinia*, p. 240.

I should not like to leave South America without mentioning Uruguay, a country which has always given us concrete proofs of its friendship and which has sent quite recently an Ambassador Extraordinary, and all other Republics from Peru to Uruguay, from Ecuador to Venezuela, including Colombia, maintain relations of perfect cordiality with Italy.

In North America there is a State extending from the Atlantic to the Pacific, with a population of 120 millions, with immense riches, with a gigantic capacity for work, and renowned for its technical and scientific progress.

The Republic of the Stars and Stripes has played since the war a very great rôle, a preponderant rôle, in the history of the world. The centre of world finance has shifted from Europe to America. The United States are creditors of all nations, especially of those on our old Continent, to the extent of 12,000 million dollars. American initiative seems to be preparing the conquest of Europe. An examination of this phenomenon, which has already brought forth a vast literature, would carry me too far. At any rate, this phenomenon is always before our eyes in the most varied forms: philanthropy, banking, science and industry. It is not possible to predict how high America's ambition for power may rise, and with what resistances it may eventually meet. So far as Italy is concerned, the relations with the United States during the last three years have been influenced by three events of special importance.

It may suffice to recall only the first event, that is to say, the settlement of our war debt. In the midst of the exchange crisis, on June 15, 1925, I sent the following message to our Ambassador in Washington:

'After a conversation with the Finance Minister, in the course of which we examined the question whether the actual depreciation of our Exchange may not be due to the uncertainty of our debt negotiations with the United States, we have reached the decision to invite Your Excellency to begin official negotiations in respect of the settlement of our debt. Your Excellency is therefore authorized to communicate this immediately to the American Government. As soon as your Excellency will have officially communicated the Italian Government's decision to open regular negotiations for the settlement of the debt, Your Excellency will keep me informed every day of the preliminary progress, as well as of the impression in American financial quarters.' Subsequently Count Volpi negotiated with success the consolidation of our debt, which was the first step on the way to financial recovery.

Another event in the relations between Italy and the United States was the invitation to a conference on naval armaments. The Senate may remember that Italy declined the invitation. In my reply to the American proposal, I stated the reasons which prevented Italy from taking part in the proposed conference at Geneva. The conference was held without the presence of Italy and France, and ended in complete failure, particularly on account of the serious divergencies of views between the United States and Great Britain on the question of tonnage and of the number of cruisers.

The third event came to an end last April. I refer to the signature of a treaty of conciliation and arbitration between the United States and Italy. The nature of this treaty is defined in its articles and especially in its preamble.<sup>1</sup> At present the Kellogg proposal is on the agenda and Italy's attitude in respect of it has been defined in a note.

#### *Emigration and Naturalization*

Before leaving the subject of the relations between the United States and Italy, I should like to refer to two questions which, from time to time, have provoked polemics and excited American public opinion.

So far as the American law on emigration and relative quota is concerned, the maintenance of the quota, though it may be objectionable to us by reason of the motives which have provoked it, leaves us otherwise practically indifferent. For the last two years the Fascist Government has followed a policy of voluntary restriction and control of emigration. A clear proof of this change of policy may be found in the abolition of the Commissariat for Emigration, and in its replacement by a Directorate General for Italians abroad, at the Ministry for Foreign Affairs. Whether the United States will modify or maintain the so-called immigration bill, is an affair which concerns them alone. People of Italian descent who have become naturalized Americans are American citizens by law, and by fact, and consequently foreigners to us. We only hope that they are proud of their origin.

Finally, all discussion about the Faschi in foreign countries has ceased, after the publication of the statute for Faschi in foreign countries, which was dictated by me personally, and which defines in the most formal manner the tasks and attributes of those organiza-

<sup>1</sup> This treaty was, *mutatis mutandis*, identical with that signed between the United States and France in February 1928. See *infra*, *United States of America*, p. 191.

tions, whose usefulness cannot be doubted when they are composed, as they should be, of gentlemen who honour their distant Fatherland by their work, discipline and personal dignity.

### *Italy and Great Britain*

And now, honourable Senators, we shall fly over the Atlantic and land in our old glorious and yet restless Europe. Here the panorama is more complicated; the interests are more vivid, the reality more immediate, the sentiments more pronounced. One must proceed in order, and with care, in examining the situation. I shall begin with Great Britain. When people speak of the traditional friendship between Great Britain and Italy, they do not repeat a commonplace saying, but express a real fact. The friendship between the two peoples is deep; I should rather say that they have never been divided in the past, that they co-operated in the great war, worked together for peace, and settled the only colonial question pending between them, namely the question of Trans-Juba. At Locarno they renewed this close collaboration in the interest of European peace. When I say that the friendship between the countries is deep, I mean that this sentiment is not limited to the necessarily restricted official quarters, but extends to the large mass of the population.

The change of men at the Foreign Office has never altered this situation, which evidently is due to reasons of the highest order. I had the pleasure and honour of meeting Sir Austen Chamberlain in December 1925 at Rapallo, and in September 1926 at Leghorn. The eminent statesman, who directs the foreign affairs of the British Empire, was even accused of having encouraged Fascist Imperialism, and some of the later events were explained as arising from a kind of authorization which Chamberlain was said to have given to Italian policy. Nothing could be more fantastic. Italy of to-day does not need to ask for such an authorization of her policy. Italy is perfectly autonomous in the conduct of her foreign policy. I want to add that friendship with Great Britain is one of the cardinal points of this policy. This friendship needs no special protocols to be strengthened and improved. To this goal the efforts of the Fascist Government are directed.

### *Italo-Russian Commercial Agreement*

From Great Britain I cross over to the Continent and begin with the Union of the Soviet Socialist Republics, which once was called Russia, and which for the sake of brevity I shall still call Russia. The relations between Italy and Russia are normal. As you will remember,

honourable Senators, Italy recognized Russia officially in 1924 and concluded a commercial treaty with her. As the practical results of this treaty have been much discussed, it may be useful to give you the figures of the volume of trade between the two countries. They are the following:

In 1925 Italian imports from Russia were estimated at 149,188,000 lire and Italian exports to Russia at 171,256,000 lire. In 1926 our imports were 344,851,616 and our exports 124,511,369; in 1927 our imports were 394,735,633 and our exports 43,441,401 lire; the latter figures are not final.

Thus it appears that the volume of trade is small. The reasons for this are known. They are not only due to the State monopoly of foreign trade, but are explained also by the fact that Russia must buy on credit. Now, in this field Italy cannot compete with other Powers which can wait with ease. It has been tried to meet this deficiency by the establishment of a financing institution, which would advance to Italian exporters the sums required for the fulfilment of orders covered by Russian bills of various maturities.

In 1925 and 1926 we were asked to conclude a political treaty with Russia, but the matter did not go beyond the phase of simple preliminary conversations.

#### *Treaty with Poland Denied*

Passing from Russia over the crests of the Baltic and the Scandinavian countries, we come to Poland. With Latvia we signed a commercial treaty on July 25, 1925, which was ratified on January 25, 1927. Thanks to the most-favoured-nation clause, the agreement assures us the application of the new Latvian minimum tariff which came into force on April 16, 1928, and this is likely to have a favourable effect on the exportation of certain Italian products to Latvia. Our relations with Finland are of the best, and we have concluded with her a commercial treaty which is beginning to show results. Excellent are likewise our relations with Lithuania; they have been embodied in a political and a commercial treaty. Our relations with Lithuania, which were confirmed by the visit of M. Valdemaras to Rome, enabled us to exercise a 'soothing' influence at the gravest moment in the tension between Lithuania and Poland.

With this last Great Power, which has sprung from the war and has now been consolidated into a unitary State, and continues every day to strengthen her political, economic and cultural position; with Poland, I say, we have no political treaty, no matter what may have been reported during the recent visit of M. Zaleski to Rome. Thus all

the fantastic rumours about the nature and purposes of M. Zaleski's tour, none of which was on the agenda, fall down.<sup>1</sup>

My meeting with M. Zaleski was, however, most useful, because the exchange of ideas, and the examination of the European situation, showed the possibility of a common and naturally peaceful action between Poland and Italy in certain directions and in given cases. Italy and Poland have many common motives of an historic, cultural, and economic character which render their collaboration possible and fruitful. I need hardly emphasize the political importance of resurrected Poland, with her population of 30 millions, situated between immense Russia and thickly populated Germany, who is regaining her strength.

#### *Italo-German Relations*

The relations of Italy with Germany are cordial. We have a commercial treaty, the value of which could not be fully appreciated at the time of the instability of the Italian currency, and we have a treaty of conciliation and of judicial settlement concluded in December 1926 for ten years.

To turn from the relations between the two Governments to the not less important relations between the Italian and German peoples themselves, it must be said that they could be infinitely better, if the natural sympathies of former times were not diminished to-day by the acts of certain irresponsible quarters, which want to interfere with questions of the internal policy of our State. If these clouds would vanish from the horizon, and I sincerely hope they will, the collaboration of the large masses of both nations, in the economic field alone, could bring great results. I may add that the relations have improved in the course of the past months.

The welcome which not only the city of Stolp, but all of Germany, extended to General Nobile has been greatly appreciated by Italian public opinion.

#### *Italo-French Understanding*

We shall now cross the disputed and garrisoned Rhine. The somewhat disturbed history of our post-war relations with France is largely explained by the events at Versailles, attributed more or less justly to the political attitude of the representatives of the French Government of that time, who did not look upon allied Italy's claims with favour.

From the historical standpoint it may be useful to recall the past

<sup>1</sup> See also statement by M. Zaleski, *infra, Poland*, p. 162.

decade. But for you, honourable Senators, it is necessary to know the actual conditions. The situation to-day is greatly improved. To appreciate this change for the good, one must go back to the very delicate moment when the French treaty with Yugoslavia, and the Italo-Albanian treaty of defensive alliance, were signed. Since then we have gone a long way towards clarifying and stabilizing the political relations between the two great nations. Let us recall the speech of M. Briand in the French Chamber, to which I replied by a declaration before the Cabinet. I must mention that Ambassador Besnard worked indefatigably for this understanding during the two years he spent in Rome. After the arrival of the new Ambassador, M. de Beaumarchais, official conversations were opened on March 19. These conversations have been conducted in two directions. On the one hand, it was proposed to work for the conclusion of a broad political pact of friendship, according to M. Briand's expression ; on the other, to settle by a series of protocols the disputed points between Italy and France. These points are essentially the following: Italy's position in Tangier; status of Italians in Tunis; rectification of the western frontier of Tripoli. Other questions connected with other zones are not on the agenda, for the obvious reason that they would necessitate the extension of the Franco-Italian negotiations to other States. This would complicate the situation and render it more delicate. I should like to add that the progress of the conversations justifies the belief in their happy conclusion.

#### *The Tangier Question*

The Tangier agreement may be considered a happy augury for a successful conclusion. It may be useful to dwell at some length on this page of our diplomatic history and to refer to what preceded it. When the Italian Government learned, at the end of 1920, of the intention of the London Government to resume, with the Governments of Paris and Madrid, the negotiations on the Tangier Statute which had been interrupted in 1914, it asked to be admitted to the negotiations, and, in its note addressed at the end of October 1923, requested formally that an Italian representative should take part in the Paris conference convoked for the purpose.

This Italian request was not accepted, and, in its subsequent note of December 25, 1923, the Government renewed its fullest reserves in regard to the decisions which might have been adopted in Paris, and more particularly in respect of its future liberty of action. Our attitude was based on the following considerations:

1. First of all, Italy, as a great Mediterranean Power, and also

in view of her share in the Allied victory, through which, so far as this particular question was concerned, Germany and Austria had been barred from Morocco, claimed the right of intervention in the regulation of all Mediterranean questions.

2. In view of all her interests in the Tangier question, resulting either from her special position as a great Mediterranean Power or from her local interests in the Tangier zone, Italy could not be considered in regard to this question on the same plane as the other Powers signatory of the Act of Algeciras.

The Three-Power Agreement led to the signature of the Paris Convention of December 18, 1923. Our Government, faced with this *fait accompli*, declared to the British, French and Spanish Governments that it was willing to adhere to the Paris Convention, providing that its requests for the modification of the Convention be complied with.

Our requests, which, when put forward in 1924 and 1926, had not been accepted, were the same as those discussed at the recent Four-Power Conference in Paris. The conversations in Paris were carried on in great calm, cordiality and mutual understanding. The satisfactory results, in respect of the acceptance of our requests, fully confirmed the success which we had already obtained, in principle, by our participation in the Paris meetings, on an equal footing with the three Powers signatory of the Convention of 1923.

The acceptance of our requests (as indicated later in this speech) constitutes an explicit recognition of the fact that Italy's position as a great and essentially Mediterranean Power confers upon her the right to special consideration, not only in regard to the international organization of the Tangier zone of Morocco, but also in regard to the administration of this zone.

The Italian Government requested the right to attach to its Consulate in Tangier an officer, who would inform the Royal Government about the observance of the military engagements contained in Article 3 of the Convention, and relating to the regime of neutrality of the Tangier zone.

This request was accepted. (As a matter of fact, the functions of the officers of the four Powers in Tangier, who will be charged with periodical visits to the zone, have been regulated on a footing of absolute equality; it has been agreed that the control over the demilitarization of the zone does not justify the continuous presence of the officers in the zone.)

Italy requested that the Italian naval forces should supervise, jointly with the British, French, and Spanish naval forces, the con-

traband of arms and munitions in the territorial waters of the Tangier zone.

This request was accepted. (Thus full equality with Great Britain has been established; it has been decided that the form of intervention of the Italian and British navies in the specified cases shall be agreed upon among the four Powers.)

Italy requested that the international legislative assembly, mentioned in Article 34 of the Convention, should include three Italian members nominated by the royal consulate, and should appoint an Italian vice-president with the same functions and rights as those conferred upon their colleagues.

This request was also accepted. The principal function of the vice-president is to assist the Mendoub (representative of the Sultan) in presiding over the assembly, and of acting as deputy for him in his absence.

Italy requested the appointment of an assistant administrator of Italian nationality, under the conditions provided in Articles 35 and 36 of the Paris Convention, to whom, with the title of director, the judicial services should be entrusted.

This request was accepted. That, by the way, was our principal request, which was the subject of the most lively discussions and remained in suspense until the very end. The difficulty was to find, for the Italian assistant administrator, functions and prerogatives which had not already been attributed to functionaries of the Tangier administration of other nationalities, so as to avoid opposition from Powers which would have otherwise felt prejudiced. These difficulties were overcome by our delegation with ingenuity, and in this manner Italy's entry into the administration of Tangier was obtained with special regard to the judicial services.

Italy requested an equal share for her capital and labour in the construction and management of the port of Tangier.

This request was met by means of a corresponding modification of Article 41 of the Convention of 1923, and by an explicit declaration in regard to equality of treatment of Italian capital and labour by the French and Spanish Governments, the two engineers of the port being nationals of these powers.

Italy requested that an Italian magistrate should sit on the Mixed Tribunal of Tangier, provided in paragraph 1 of Article 48 of the Paris Convention, and that one of the registrars mentioned in Article 14 of the Dahir, concerning the organization of an international jurisdiction of Tangier, should be of Italian nationality. The codes which were issued in conformity with the said Article 48 will be communi-

cated to the Italian Government, and, in case the Italian Government finds it necessary to ask for some modifications, its request will be examined within the shortest interval.

This request was accepted.

Italy requested that the Italian diplomatic representation in Tangier should be replaced by a consulate. The Italian Government may appoint a functionary from the diplomatic service as head of the consulate in Tangier, with the grade of consul general.

This request was accepted.

Italy requested that the putting into force of the Paris Convention of December 18, 1923, in regard to Italian subjects and interests, should be applied six months after the adherence of the Italian Government to the said Convention.

This request was accepted, while we agreed to the application of the fiscal regime to Italians in Tangier from the date of our adherence to the Statute.

Of the requests presented by Italy, on which we did not insist, only two were not accepted: the one relative to the post office and the other relative to our participation in the customs commission.

We may well be satisfied with the results obtained, namely: an Italian assistant administrator; an Italian judge and an Italian registrar in the Tribunal; three Italian members in the legislative assembly; an Italian vice-president of the assembly; equal treatment of Italian capital and labour; application of the (modified) Convention of 1923 to the present general Italian interests (which are larger than in 1923, as they include the recently established Italian hospitals and schools); participation in the maritime control, in exceptional times, on an equal footing with Great Britain; periodical visits to Tangier of an Italian officer on an equal footing with the other three Powers. We may well be satisfied, because we have won a place for Italy in the administration of the Tangier zone on an equal footing with Great Britain, and, in any case, a more important place than the situation of Italian interests in 1923 would have enabled us to obtain at that time.

It is an evident diplomatic success, to which the perfectly friendly attitude of the Spaniards and the British, as well as the cordiality of the French, have contributed. It is not out of place, therefore, to say that this agreement offers favourable prospects to us.

The importance of the general agreement between Italy and France is so evident that it appears superfluous to emphasize it. The definitive settlement of our relations with France is another element which will contribute to the stabilization of peace, and to the development

of the already large trade between the two nations, which . . . have many fundamental elements of European civilization in common.

### *Awakening of Spain*

It can no longer be said that the impenetrable Pyrenees separate Spain from Europe. Spain is represented in Europe and in the world, and her political influence is increasing. I am convinced that Spain is now in the period of great recovery of her vitality, which she seemed to have spent, when in fact she was only slumbering. Her awakening is evident in the economic, political and cultural fields. Her glorious history and the spirit of her great Catholic, dynastic, and colonial traditions are ever present and active in the actual national recovery.

One of the problems which caused the greatest anxiety to Spain, I mean Morocco, has been successfully solved by General Primo de Rivera, who set such an example of valour by his landing at Alhucemas, a glorious page in colonial military history. Not only on account of the affinity of our regimes, as some people think, but for more profound reasons, the relations between the two Governments and nations are excellent. A commercial treaty regulates our economic relations, and a treaty of friendship and neutrality has established our political relations for a period of ten years. A closer collaboration of the two great Mediterranean nations is possible, and, I would like to say, it should be in the natural order of things; as there is nothing which divides the two countries, the relations between Spain and Italy may become still more intimate, and their fraternal co-operation may extend over all the activities arising from contemporary life.

Before leaving the Iberian Peninsula, I want to say that Italy's relations with Portugal are also of the best. Attempts to alter them have not been spared, in connexion with the non-existent Italian pretensions to the Portuguese colonial possessions, but nobody in Lisbon has doubted the perfect loyalty and sincere friendship of Italy.

### *Switzerland*

Before turning to another extremely interesting section of European politics, it is fitting to say a word about Switzerland, the cross-roads of Europe. Our relations with Switzerland are truly cordial and very friendly. I have called 'perpetual' the treaty of friendship and arbitration which was signed on September 20, 1924, though the instrument itself stipulates its duration for ten years. These lines of Italian policy are permanent; the activity of certain irresponsible quarters,

which might have disturbed this policy, ceased a long time ago, and, as a matter of fact, it never gave any cause for anxiety. Italy has a fundamental interest in the existence of a free, independent and neutral Switzerland, and as to the Canton of Ticino, which is Italian by language, race and tradition, Italy's fundamental interest is that it remain an integral and constructive element within the Swiss Confederation. Therefore, let those on this or on the other side of the St. Gotthard, who have the habit of giving life to vanishing shadows, take note of this clear, solemn and definitive declaration.

### *Austria and the Little Entente*

In regard to Austria I shall only say that our diplomatic relations are undisturbed, and that it depends upon Austria herself whether our relations will attain a higher grade of cordiality.

We now come to the threshold of Danubian and Balkan Europe. Here we must proceed with caution, because multiple and conflicting interests are constantly at play, and the dynamic force of policies is extraordinarily active. This is a region where the effects of the war are more visible owing to the changes in the political map; it is the zone where the fall of the Hapsburg Empire caused the most far-reaching transformations. The Little Entente, which evolved in the form of a union between Czechoslovakia, Yugoslavia and Rumania for the maintenance of the peace treaties, is negative rather than positive in character, for the limits of this Entente are clearly defined, and the elements of the Little Entente, outside of the pure and simple preservation of the Treaties, have no other great community of interests. Italy's relations with the Little Entente Powers were established in the course of the preceding years. There is a treaty of commerce, and a pact of friendship and friendly co-operation, between Italy and Czechoslovakia, which was concluded at Rome on July 5, 1924; there is another treaty of friendship and co-operation between Italy and Rumania, which was concluded at Rome on September 16, 1926. Soon after the signature of the latter treaty, Italy ratified the decision of the Conference of Ambassadors concerning Rumania's possession of Bessarabia. It may be useful to recall that it was only after Italy's ratification that Rumania's possession of Bessarabia was fully recognized from the international standpoint.<sup>1</sup>

<sup>1</sup> This statement is misleading, since the Paris treaty of October 28, 1920, by which the Allied Powers recognized the annexation of Bessarabia by Rumania, is to enter into force only after ratification by all the signatory Powers, and Japan has not yet ratified the agreement. Moreover, the U.S.S.R. refuses to acknowledge the validity of the annexation.

*Yugoslavia and the Nettuno Conventions*

Finally, there is a pact of friendship, co-operation and arbitration between Italy and Yugoslavia, signed at Rome on January 28, 1924. It is necessary to dwell on this last political and diplomatic situation. Since the advent of the Fascist regime, our policy towards Yugoslavia has always been the same. I am convinced that the relations between two States having a common frontier cannot be based on indifference: they are either friendly or hostile. The latter alternative was discarded, and, the principle of friendship having been adopted, Italy has loyally followed a friendly policy towards Yugoslavia, such as was sanctioned by the treaty of 1924. As this treaty contemplated a further extension, the Nettuno Conventions were signed in 1925, regulating in a mutually satisfactory manner a whole series of important matters in the relations between the two States.

Italy has waited three years for Yugoslavia's ratification. She does not intend in the least to enter into the complicated parliamentary vicissitudes of the neighbouring State but, on the other hand, she cannot subordinate her foreign policy to them. Moreover, Italy is compelled to declare that the treaty of 1924 has not created the moral atmosphere by which friendship detaches itself from the official protocols of Governments, and enters into the hearts of people. It is useless and dangerous to conceal facts: hostile propaganda against Italy is carried on in many Yugoslav quarters on a large scale, even by men who have political responsibilities. As an example, we have yesterday's speech of a Croat deputy, a former and perhaps future minister, inciting to war against Italy and prophesying the signature of an armistice in Venice.

All this is due to a complete ignorance of conditions in Fascist Italy, and to manifestations of megalomania which are so exaggerated that they become political childishness. One can smile at them and remain perfectly calm, as Italy has done, but it would be a grave mistake not to take any account of them.

The explanation of the recent happenings in Spalato, Sebenico, Zagreb will be found in this atmosphere of self-excitement and misunderstanding, of which the world must at last be informed. Events have become extremely grave by their violence and destructiveness, and particularly because they were provoked, not so much by the non-existent incidents in Xara or by the behaviour of Italian students, which was perfect in discipline as behoves a great people, as by the simple announcement that M. Marinkovitch had decided to submit

the Nettuno Conventions to the Skuptchina, giving thereby a proof of his goodwill and courage.

As soon as I received the reports from our consuls and that of our Minister in Belgrade, I requested, by a formal note, the satisfaction which the gravity of the case demanded. Satisfaction was accorded by the Belgrade Government in a note which you all know. From the diplomatic standpoint the incidents are therefore closed. I see in this prompt and loyal acceptance of the Italian requests a sign of the goodwill of Dr. Marinkovitch, as well as the intention to foster this policy of friendship, which Italy, on her part, wishes sincerely to follow, not only in the interests of the two States, but also for the sake of European peace.

To finish this delicate subject I want to address plainly, from the tribune of this High Assembly, certain elements beyond the Monte Nevoso: Be prudent and careful. Do not listen to the empty words of anti-Fascists, who flatter themselves on being able to play, through you, their last card. Return to reality. Italy does not hate you, and does not oppose your peaceful progress, but try to understand us and remember that Italy, who at all times had made a great contribution to human civilization, is to-day, with the Fascist regime, a nation whose friendship you should cultivate instead of exciting her enmity.

### *Hungary*

Wedged between the States of the Little Entente there is a nation whose relations with Italy have reached a high degree of cordiality in these last years; I am speaking of Hungary, whose Prime Minister, Count Tisza, as it has now been established beyond any doubt, did not want war, and who has suffered the direct consequences of the war. Friendly relations between Italy and Hungary in all fields have lasted for centuries. War interrupted them. When peace came, Hungary's sacrifices did not end. In 1919 and 1920 those terrible 122 days of Bolshevik dictatorship occurred, and then came the monetary catastrophe. Before leaning out of her window to look again at the world, Hungary had to begin her complete political and economic reconstruction. When this had been achieved, she tried to abandon her isolation. Loyally and unselfishly, Italy offered her hand to Hungary. A solemn diplomatic act, signed at Rome in April of last year, sealed the friendship of the two States and nations.

Italy's friendship was evident on the following occasions: the abolition of military control in Hungary; the conclusion of the tragic-comedy of the St. Gotthard machine guns; the question of the optants, and, among other things, the shipping facilities granted

to Hungary in the port of Fiume. Hungary can rely upon Italy's friendship. It may be said that the territorial provisions of the Treaty of Trianon had cut too deeply into the flesh, and it may be added that, for a thousand years, Hungary has performed in the Danubian Basin an historic mission of importance. The Hungarian people with their fervent patriotism, their consciousness of their power, their persevering work in time of peace, deserve a better fate. Not only from the point of view of universal equity, but also in the interest of Italy, it may be well that this better fate of Hungary should find its realization.

### *From Bulgaria to Turkey*

Bulgaria is a Balkan State whose relations with Italy have, since the war, been marked by sincere friendship. The dramatic vicissitudes of Bulgaria in the post-war period are well known. She has been on the brink of political and social dissolution, but the deep forces of the nation came to the surface, and during the last three years the political situation seems to have been stabilized. The Bulgarians well know in what sad political moments they have had concrete and decisive proofs of Italy's friendship, and so I shall no longer dwell on this subject. But they must know that also in the future they may count on Italy's friendship.

This survey has now brought me to the shores of the Eastern Mediterranean. The relations with Greece have for a long time now been imbued with cordiality and a spirit of collaboration. It is possible that in the near future these relations may be embodied in, and sealed by, a treaty. Had the Greco-Turkish question been settled, Greece would have signed a treaty with Italy, analogous to our treaty with Turkey.

Italy has used great efforts, through her Minister in Athens and her Ambassador in Angora, to settle the Greco-Turkish differences arising from the application of certain clauses of the Lausanne Treaty, and considerable progress has been made towards an agreement. Italy waited a few weeks; finally, on the day after the Greek Ministerial crisis, she signed the treaty with Turkey which had been completed a month ago. At the same time, she notified M. Michalacopoulos that she was ready to sign a similar treaty with Greece as soon as Greece considered it opportune.<sup>1</sup> I hope every one in Greece will realize that Italy's conduct has been perfectly loyal and proper. No one could ask Italy to subordinate indefinitely her signature of the

<sup>1</sup> This treaty was signed on Sept. 23, 1928. For text see next document (*infra*, p. 148)

treaty with Turkey, which was held in readiness, to the settlement of the Greco-Turkish relations, when these relations had no direct interest to her.

### *Peace in the Eastern Mediterranean*

Italy hopes that the desired settlement of the Greco-Turkish relations will lead to the signature by Greece of treaties with Italy and Turkey, and that, by means of these three pacts, peace will be established in all the Eastern Mediterranean.

We now come to our relations with Turkey. During the last two years, since the intrigues of elements, alien to Turkey but hostile to Italy, had ceased, Italo-Turkish relations have greatly improved. When I was approached by Turkey with the proposal to confirm this situation by a diplomatic pact, I readily welcomed this offer. Accordingly my meeting with Rushdi Bey, the Foreign Minister of the Turkish Republic, was arranged in Milan.

Since this meeting of April 3, 1928, the lines of the Protocol were laid down, and the agreement was signed at the Palazzo Chigi on May 30.<sup>1</sup> The importance of this Protocol, which seals the agreement between Italy and Turkey, is obvious. The horizon of the Eastern Mediterranean is now clear and free of all clouds. Italy meets Turkey in a sincere and friendly spirit. Now, one must get into the habit of looking at Turkey in a new light, as a nation boldly creating a new spirit within itself after having established a new constitution, as a strong and populous nation guided by a leader, whose great prestige is linked with historical events of extreme importance, such as the Treaty of Sèvres and the Treaty of Lausanne.<sup>2</sup>

### *Future of Albania*

Just a word about Albania, and the first part of my speech will be finished. The nature of our relations with the small but important Albanian State was amply illustrated, when the two political treaties concluded with Albania were submitted to you and to the other Chamber. To avoid repetition, I shall only say that from 1925 up to this day—from a time much earlier than the Treaty of Tirana—Albania has known that she could count on Italy's friendship, and that this friendship was perfectly loyal, profoundly sincere, and scrupulously careful not to commit any act, or pronounce any word, which could be interpreted as an intervention in the internal affairs of the Albanian State.

<sup>1</sup> For text of this treaty see the preceding document (*supra* p. 122).

<sup>2</sup> For Ismet Pasha's statement on Italo-Turkish relations see *infra*, *Turkey*, p. 220.

Italy has only one fundamental interest in Albania, namely, that that State, guided by the firm and prudent hand of a man of such eminence as Ahmed Zaghou, should consolidate its internal unity and its autonomy in external affairs. Great progress has been realized in the last three years. Albania is being reformed, and transformed, at a much faster pace than is generally thought.

In a few years Albania will be a State in the widest and truest sense of the word. Italy is happy to lend her co-operation to this great reformation of ancient, and at the same time youthful, Albania, who is bound to Italy by ties which may be called secular and traditional.

### *Peace Treaties*

From time to time I have had occasion to declare that peace treaties were not eternal. I said this for the first time when a Deputy, and later as head of the Government, in speeches and interviews. It is indeed strange to see the emotion created in various quarters by a declaration which is so obvious that it is almost commonplace.

It is not a question of doctrine ; it is a question of historic reality. No treaty has ever been eternal, because the world moves forward, because nations rise, grow, decline and sometimes die. The eternity of treaties would mean as if, at a given moment, humanity by a monstrous prodigy had become mummified, in other words, as if it had died.

It is not necessary to recall old history to show that peace treaties are not eternal ; the nineteenth century is sufficient. One may refer to even more recent times to find a treaty, which was not only not eternal, but whose duration was very short : I mean the Treaty of Sèvres. Even the Covenant of the League of Nations does not recognize the principle of the ‘marble immobility’ of peace treaties, since in one of the articles it opens the way for eventual revision. It would be interesting to determine, for example, how many clauses of the Treaty of Versailles have not been applied at all, and how many have been, or will be, applied with moderation or with changes. Peace treaties are sacred in so far as they terminate glorious and sanguinary efforts, a period of immense sacrifices and great sufferings ; but they are not the product of divine justice ; they are the work of human intelligence which, especially at the end of a war, is subject to exceptional influences. Is there any one here who would dare to affirm that the Peace Treaties, and particularly the Treaty of Versailles, are a perfect work ? I call them a human work and, therefore, not perfect, but always open to greater improvement.

There are peace treaties, accomplished facts which answer the highest reasons of justice, accomplished facts which remain such and which nobody intends to revoke or even to question.

But treaties contain territorial, colonial, financial and social clauses, which can be discussed, revised and improved with a view to prolonging the duration of those treaties and to assuring more durable peace. When I suggested, in a speech which I made a year ago in the other Chamber, that between 1935 and 1940 Europe would find herself at a most interesting and delicate moment in her history, I departed from the order of ideas which I have just examined. That statement or prophecy of mine—which is, after all, easy to make—must not be interpreted in a pessimistic sense. The fact is that we shall see at that time, as a consequence of the evolution of the Peace Treaties, the development of certain conditions which will determine a new phase in the situation existing among the various States of Europe. Special problems will then arise, but they can be, and I sincerely hope they will be, solved by the Governments in a peaceful manner.

Grave complications will be avoided if, in revising those of the parts of the Treaties which call for revision, fresh vigour is given to peace. This is the hypothesis which I cherish and with which the truly, sanely and clearly peaceful policy of the Fascist Government and Italian people is inspired. But since the opposite hypothesis must also be taken into account, nobody can in good faith wonder if, following the example of all other States, Italy wants to have the necessary armed forces for the defence of her existence and her future.

### *Disarmament*

Another problem which has lately stirred the political, diplomatic and military quarters of the world is the disarmament question.

The position taken by the Italian delegation in regard to the problem of limitation or reduction of armaments is firmly based on several fixed principles, namely:

1. The interdependence of all kinds of armaments;
2. The proportion of armaments must not be based on the status quo;
3. The limits of Italian armaments cannot be of an absolute character, but must be relative to the total armaments of the other States (at parity with the most armed nations of Europe);
4. The Italian Government declares itself ready *a priori* to accept as the limit of its own armaments any figure whatever, even the lowest, provided it is not surpassed by another European Power;
5. The methods for determining the limitation of armaments must

be of the simplest and must not imply the necessity of external control.

The attitude of the Italian delegation has been always inspired by the above-mentioned principles, and the Preparatory Commission knows quite well the point of view of our Government in the matter of disarmament.

It is fitting that this standpoint should be proclaimed clearly and publicly from this tribune, for too much is said about Italian militarism.

### *The League of Nations*

As if it were by an association of ideas, I would now like to speak of the League of Nations.

In this connexion also, accusations of hostility, or at least of lack of sympathy, towards the League of Nations have been made against the Fascist Government. These are completely unfounded accusations and insinuations. The Italian Government does not attribute to the League of Nations—at least in the present period of history—the almost mythological virtues which some respectable idealists impute to it. But the fact that we look at the Geneva Institution with a sense of proportion, commensurate with the historic conditions in which it was created, does not signify hostility or lack of interest. The truth is that Italy participates in the League of Nations with the conviction that the League of Nations has been useful in many circumstances, and may continue to be so in the future. In fact, her participation in the League of Nations is active in every field, and this is also due to the fact that she is represented in the Council of the League by your colleague, Senator Scialoja, whose character, learning, talent and personal prestige it would be superfluous to extol. To all questions of a controversial character he has brought his universally and justly appreciated contribution. But to show the real attitude of the Fascist Government toward the League of Nations, we have three proposals which the Fascist Government has placed under the aegis of the League of Nations, namely: The International Institute for the Unification of Private Law, the International Union of Assistance, the International Institute of Educational Cinematography.

The International Institute for the Unification of Private Law was, by virtue of the statute approved by the Council on March 15, 1926, inaugurated on May 30 at the beautiful historic Villa Aldobrandini. This Institute has for its principal task the study of the means best adapted to harmonize and co-ordinate the private laws of the

various States, and thus to prepare the way for uniform legislation in this branch of law. The adherence of the principal States gives this Institute a special importance.

The establishment of the International Union of Assistance is due to Italian initiative, more exactly to your colleague Ciraolo, and its purpose is to alleviate the sufferings of populations stricken by calamities.

And finally the Government, in compliance with the wishes expressed repeatedly at international congresses and meetings, has decided to establish in Rome the International Institute of Educational Cinematography which, like the Institute for International Private Law, will be placed under the moral patronage of the League of Nations.

Honourable Senators,

The length of my speech, which has perhaps overtaxed your attention, makes a rhetorical peroration unnecessary. You must have doubtless noticed that my speeches are becoming rarer and briefer. But the speech of to-day was a real and properly detailed account, with documents at hand—a kind of summary—of the Fascist foreign policy during the last six years. Six years full of events and responsibilities. Six years of delicate and patient work. The foreign policy of a great nation requires a continuous effort, alert watchfulness, an exact knowledge of conditions and problems. When foreign policy is spoken of, it must be borne in mind that every game is played by two or more partners, that situations are not static but always changing, and that one must frequently know how to wait calmly, without excitement over success or failure, just as it now happens, for instance, that what could not be secured in 1923, we obtained in 1928. Foreign policy in times of peace is a wise preparation for situations which may develop rather slowly, and it is also the constant defence of the material and moral interests of the nation.

The new political constitution of Italy and the foreign policy of the Fascist Government have, one may say without feeling guilty of excessive pride, put Italy into the forefront of the world. Many calumnies have been or are being hurled. Though no one can swear that war has disappeared from history, Italy wants peace, but she cannot, must not, neglect the armed strongholds of her unity, independence, security; she cannot give up the moral and military education of the new generation. With these motives Italy has not only—as it appears from my summary—solved many problems which concern her, but she has won a prestige in international politics

which she has never had before. Her star is rising slowly on the horizon. This is, after many difficulties, the indisputable work of the Fascist régime.

That section of Signor Mussolini's speech which dealt with Reparations will be found on p. 52.

**3. ITALO-GREEK TREATY OF FRIENDSHIP, CONCILIATION, AND JUDICIAL SETTLEMENT.<sup>1</sup> SIGNED: SEPTEMBER 23, 1928**

*The King of Italy and the President of the Greek Republic;*

Having regard to the bonds of sincere friendship and mutual confidence which happily unite their two countries, and wishing to affirm by a solemn act their desire for collaboration of a political as well as of an economic nature, with the object of contributing to the work of general peace;

Being equally desirous of maintaining the state of peace and political stability in conformity with the Covenant of the League of Nations;

Considering that the faithful observation of pacific procedure permits a settlement of disputes to be arrived at without having recourse to violence: and

Believing that it is their duty to contribute to the practical consecration of these principles;

*Have resolved to conclude with this object a pact of friendship, conciliation and judicial settlement and have named as their plenipotentiaries:*

**H.M. the King of Italy:**

**H.E. the Cavaliere BENITO MUSSOLINI, Head of the Government, Prime Minister, Secretary of State for Foreign Affairs;**

**The President of the Greek Republic:**

**H.E. Monsieur ELEUTHERIOS VENIZELOS, President of the Council of Ministers,**

Who having exchanged their full powers, found in good and due form, have agreed upon the following terms:

**Article 1**

The High Contracting Parties bind themselves reciprocally to lend each other their aid and cordial collaboration for the maintenance of the settlement created by the Treaty of Peace, of which they are both signatories, and also for the respect and execution of the obligations laid upon them by the said Treaty.

<sup>1</sup> Translation prepared by the Information Department of the Royal Institute of International Affairs.

**Article 2**

In the event of one of the High Contracting Parties becoming the victim of an unprovoked attack on the part of one or more Powers, the other Party binds itself to observe an attitude of neutrality throughout the duration of the conflict.

**Article 3**

Should the security or the interests of one of the High Contracting Parties be menaced, as a result of an incursion by violence from outside, the other Party undertakes to lend it political and diplomatic support to remove the cause of these threats.

**Article 4**

In the case of international complications, if the two High Contracting Parties are agreed that their common interests are or may be threatened, they bind themselves to concert measures together to safeguard their interests.

**Article 5**

Greece and Italy undertake to submit to a procedure of conciliation, as laid down in articles 8–19 of this treaty, all questions which may arise between them and cannot be settled through the ordinary diplomatic channels. Should the procedure of conciliation fail, a judicial settlement shall be sought in conformity with article 20 and following of the present Treaty.

**Article 6**

Disputes, for the settlement of which a special procedure is prescribed in other conventions in force between the Parties to the dispute, shall be settled in conformity with the provisions of these conventions.

(1) If the nature of the dispute be such that, according to the laws of one of the Parties, it comes within the jurisdiction of its judicial or administrative authorities, this Party may oppose the submission of the dispute to the various forms of procedure provided by the present convention, before a final decision has been made within a reasonable time by the competent authority.

(2) The Party, which in this case desires to have recourse to the forms of procedure provided by the present convention, shall notify its intention to the other Party, within a year, dating from the aforesaid decision.

**Article 7**

A Permanent Commission of Conciliation shall be set up within six months following the exchange of ratifications of the present Treaty.

This Commission shall consist of three members. Each of the High Contracting Parties shall nominate one member from among its own nationals. They shall appoint by common accord the President, who shall not be a national of either of the Contracting Parties, nor have his habitual residence in their territory, nor be in their service. If, in the case of non-agreement, the appointment of the President has not been carried out within the limit prescribed in the previous section or, in the case of replacement, within three months from the date of the vacation of the position, he shall be appointed in the following manner. Each of the High Contracting Parties shall present two candidates, chosen from the list of members of the Permanent Court of The Hague, being neither one of the members chosen by the Parties themselves nor a national of either of them. Which of the candidates thus presented is to be President shall be determined by lot.

#### Article 8

The members of the Commission are appointed for three years. They are re-eligible. They shall continue in the execution of their functions until their replacement or the expiry of their term.

So long as no proceedings have been begun, either Contracting Party shall have the right to revoke the appointment of its Commissioner and nominate a successor. It shall also have the right to withdraw its consent to the nomination of the President. Vacancies due to the expiration of mandates, withdrawal, decease, resignation or any other cause shall be filled with the shortest possible delay, and according to the procedure laid down for nominations.

#### Article 9

The Commission of Conciliation shall become competent to deal with the dispute, upon the receipt of a request addressed to the President by the two Parties acting in common accord or, failing that, by one of the Parties. The request after having set forth the subject of the dispute shall contain the invitation to the Commission to proceed with all measures calculated to lead to conciliation.

If the request emanates from one of the Parties only, it shall notify the other Party at the same time.

#### Article 10

Within 10 days dating from the time when one of the Parties shall have brought a dispute before the Commission of Conciliation, each of the Parties may, for the examination of the dispute, replace its member by some one possessing special competence in the matter.

The Party which uses this right shall immediately notify the other

Party of its intention ; the other Party shall in this case be able to act in the same way within 15 days of the date on which the notification reaches it.

#### Article 11

The Commission of Conciliation shall meet, saving an agreement to the contrary, at the place chosen by the President.

#### Article 12

The task of the Commission of Conciliation shall be to establish the questions under dispute, to collect with this object information of every kind which may be useful, and to facilitate the conciliation between the Parties.

After the examination of the question it shall draw up in a report proposals that may lead to the settlement of the dispute.

#### Article 13

The procedure before the Commission of Conciliation shall take the form of a debate between the disputing Parties. The Commission shall lay down the procedure itself, having regard, saving a unanimous decision to the contrary, to section III of the Convention of The Hague, of October 18, 1907, for the Pacific Settlement of International Disputes.

#### Article 14

The deliberations of the Commission shall be held *in camera* unless the Commission, in agreement with the Parties, decides otherwise.

#### Article 15

The Parties shall have the right to nominate to the Commission advisers and experts, who will serve at the same time as intermediaries between them and the Commission, and also to demand the oral examination of any person whose evidence may seem to them to be useful. The Commission, for its part, shall be entitled to demand oral explanations from the advisers and experts, and also, with the consent of their Governments, from any other persons whose evidence it judges useful.

#### Article 16

The Parties undertake to facilitate the work of the Commission of Conciliation and, in particular, to furnish it in the largest possible measure with all documents and useful information, and also to use all means at their disposal, and in accordance with their laws, to permit it to proceed to the summoning and examination of witnesses and experts.

**Article 17**

The Commission of Conciliation shall present its report within four months dating from the day on which the dispute was submitted to it, unless the Parties agree to prolong the period. A copy of the report shall be sent to each of the Parties. The Commission's report shall not be in the nature of an arbitral award, either with regard to the statement of the facts or to the legal considerations.

**Article 18**

The Commission shall fix the period within which the Parties shall be required to take their decision as regards the recommendations contained in its report. This period shall not exceed three months.

**Article 19**

During the effective duration of the procedure each of the members of the Commission shall receive an allowance, the amount of which shall be fixed by common agreement between the Parties, who shall bear it in equal shares. General expenses of the Commission shall be borne and shared in the same way.

**Article 20**

If one of the Parties does not accept the recommendations of the Commission of Conciliation or fails to declare its decision within the period fixed by its report, either of them may demand the submission of the dispute to the Permanent Court of International Justice. Should the dispute, in the opinion of the Court of Justice, be non-justiciable, the parties shall agree that it shall be settled *ex aequo et bono*.

**Article 21**

The contracting parties shall establish, in each particular case, a special agreement specifying the subject of the dispute, the special jurisdiction which might be referred to the Court of International Justice, and any other conditions agreed upon between the parties. The special agreement shall be constituted by an exchange of Notes between the Governments of the Contracting Parties. All points contained in it shall be interpreted by the Court of Justice. If the special agreement is not drawn up within three months from the day on which one of the parties was requested to submit the matter to judicial settlement, either party may bring the question before the Court of Justice by a simple request.

**Article 22**

If the Permanent Court of International Justice rules that a decision, of a judicial or any other authority of one of the Contracting

Parties, is wholly or partly at variance with international law, and should the constitutional law of that Party only inadequately accord reparation by administrative procedure, the Party prejudiced shall be granted equitable satisfaction in some other form.

### Article 23

The judgement rendered by the Permanent Court of International Justice shall be carried out by the Parties in good faith. Should its interpretation give rise to difficulties, they shall be settled by the Court of Justice to which they may be referred by a simple request of either of the Parties.

### Article 24

During the course of the procedure of conciliation or judicial settlement, the Contracting Parties shall undertake to abstain from all measures which might prejudicially affect the acceptance of the proposals of the Commission of Conciliation or the execution of the judgement of the Permanent Court of International Justice.

### Article 25

If a procedure of conciliation or a judicial procedure is pending at the time of the expiration of the present Treaty, it shall be carried on in conformity with the terms of the present treaty, or of any other convention which the Contracting Parties shall agree to substitute for it.

### Article 26

The present Treaty, whose interpretation or application shall in no way prejudice the rights and obligations of the High Contracting Parties under the Covenant of the League of Nations, shall be communicated for registration to the League of Nations in accordance with Article 18 of the Covenant.

### Article 27

Any disputes which may arise as to the interpretation or the execution of the present Treaty shall be submitted direct to the Permanent Court of International Justice at The Hague by a simple request.

### Article 28

The present Treaty shall be ratified as soon as possible, and shall come into force immediately after the exchange of ratifications, which shall take place at Rome.

It shall remain in force for five years from the date of the exchange of the instruments of ratification.

Unless denounced six months before the expiration of this period, it shall remain in force for a further period of five years.

In faith whereof the above-named plenipotentiaries have signed the present Treaty and affixed their seals thereto.

DONE at ROME in two original copies

23 September, 1928.

Signed: MUSSOLINI.  
VENIZELOS.

**4. TEXT OF LAW GOVERNING THE FASCIST GRAND COUNCIL  
ADOPTED DECEMBER 11, 1928<sup>1</sup>**

**Article 1**

The Fascist Grand Council is the supreme organ co-ordinating and uniting all the activities of the regime which arose out of the October Revolution of 1922. It has deliberative functions in the cases laid down by the Law and shall, moreover, give advice on every other political, economic and social question of national interest on which it may be consulted by the Chief of the Government.

**Article 2**

The Chief of the Government, Prime Minister, Secretary of State, is ex officio President of the Fascist Grand Council. He summons the Council whenever he considers necessary and settles the agenda.

**Article 3**

The Secretary of the National Fascist Party is Secretary of the Grand Council.

The Chief of the Government may delegate to him the power to summon and to preside over the Grand Council in the event of his absence or inability or in case of a vacancy in the post.

**Article 4**

The following are members of the Grand Council for an unlimited time:

1. The Quadrumviri of the March on Rome;
2. Those who as members of the Government have been in the Grand Council for at least three years;
3. Secretaries of the National Fascist Party who left office after 1922.

<sup>1</sup> See *Gazzetta Ufficiale*, December 11, 1928, pp. 5978 *et seq.* (translation prepared by the Reference Service on International Affairs in Paris).

**Article 5**

The following are members of the Grand Council *ex officio* for the duration of the Council:

1. The President of the Senate and the President of the Chamber of Deputies;
2. The Ministerial Secretaries of State;
3. The Under-Secretary of State of the Presidency of the Council;
4. The Commander-General of the Voluntary Militia for National Security;
5. The members of the Directory of the National Fascist Party;
6. The President of the Italian Academy and the President of the National Fascist Institute of Culture;
7. The President of the National Balilla Movement;
8. The President of the Special Tribunal for the Defence of the State;
9. The Presidents of the National Fascist Confederations of legally recognized syndicates;
10. The President of the National Co-operative Union.

**Article 6**

The membership in the Grand Council of all persons mentioned in the three preceding articles shall be recognized by Royal decree, on the proposal of the Chief of the Government. The recognition may be revoked by the same means at any time.

**Article 7**

Persons who have deserved well of the Nation and of the cause of the Fascist Revolution may be nominated members of the Grand Council for a period of three years, with the right of reappointment, by a decree of the Chief of the Government. The nomination may be revoked by the same means at any time.

**Article 8**

The status of member of the Grand Council is compatible with the status of Senator and Deputy.

**Article 9**

No member of the Grand Council may be arrested, except in the case of a flagrant crime, or subjected to penal procedure or made liable to police measures without the authorization of the Grand Council.

No disciplinary measure may be taken against a member of the Grand Council as an adherent of the National Fascist Party without the decision of the Grand Council.

**Article 10**

The work of a member of the Grand Council shall be gratuitous.

No expense whatsoever may be requested from the State for the functioning of the Grand Council.

The sittings of the Grand Council shall be secret. Internal regulations, approved by the Grand Council, shall determine the other rules of its functioning.

**Article 11**

The Grand Council shall deliberate on:

1. The list of Deputies designated according to article 5 of the law of March 17, 1928, no. 1019;
2. The statutes and the political rules and directives of the National Fascist Party;
3. The appointment and dismissal of the secretary, the vice-secretaries, the administrative secretary and other members of the Directory of the National Fascist Party.

**Article 12**

The Grand Council shall be consulted on all questions having a constitutional character.

As constitutional questions shall always be considered projects of law dealing with:

1. The succession to the Throne, the powers and prerogatives of the Crown;
2. The composition and working of the Grand Council, of the Senate of the Kingdom and of the Chamber of Deputies;
3. The powers and prerogatives of the Chief of the Government, Prime Minister, Secretary of State;
4. The right of the Executive Power to decree judicial measures;
5. The syndicalist and corporative regulations;
6. The relations between the State and the Holy See;
7. International treaties involving a change in the territory of the State and of the Colonies, or the renunciation of title to territories.

**Article 13**

The Grand Council, on the proposal of the Chief of the Government, shall draw up and keep up to date a list of names to be submitted to the Crown for nomination in the event of a vacancy in the post of Chief of the Government, Prime Minister, Secretary of State.

The powers and prerogatives of the Chief of the Government

remaining firmly established, the Grand Council shall also draw up and keep up to date a list of persons who, in the event of vacancy, are considered suitable to assume Government functions.

#### Article 14

The secretary, the vice-secretary, the administrative secretary, and other members of the Directory of the National Fascist Party shall be nominated by decree of the Chief of the Government, Prime Minister, Secretary of State after previous deliberation of the Grand Council in accordance with article 11. They shall remain three years in office and their mandate is renewable. They may be removed at any time by the same means.

The Secretary of the National Fascist Party may be requested by Royal decree, on the proposal of the Chief of the Government, to take part in the sessions of the Council of Ministers.

#### Article 15

The present law shall enter into force on the date of its publication in the Official Journal of the Kingdom.

We command that the present, bearing the seal of the State, be inserted in the official collection of laws and decrees of the Kingdom of Italy, and we request all whom it may concern to obey it and enforce its observance as a law of the State.

### VIII. LITHUANIA

#### 1. NEW CONSTITUTION, MAY 15, 1928

Coincident with the celebration of the tenth anniversary of the Lithuanian Republic, a new constitution was proclaimed by the Government on May 15, 1928, of which the following is an extract. Among the interesting features of this document the following provisions may be mentioned: article 5, declaring that the capital of the country is Vilna; the existence of a single-chamber legislature; provisions for national referendum in legislative matters; and article 10, stating that, while no person may have at the same time Lithuanian citizenship and citizenship of another country, a Lithuanian citizen, nevertheless, does not lose the right of his nationality by becoming a citizen of an American State if he performs certain duties fixed by the law.

#### *General Provisions*

#### Article 1

The Lithuanian State is an independent democratic Republic. The sovereign power of the State belongs to the nation.

**Article 2**

The powers of the State are exercised by the Seimas, the Government and the Tribunals.

**Article 3**

No law is valid in the Lithuanian State if it is contrary to the Constitution.

**Article 4**

The territory of Lithuania consists of the territories whose frontiers are defined by international treaties concluded up to the present time. This territory, in case of enlargement, may be modified by ordinary legislation, and by national referendum, in case of diminution.

**Article 5**

The capital of Lithuania is Vilna. It may be provisionally transferred elsewhere by a special law.

**2. EXCHANGE OF NOTES BETWEEN THE LITHUANIAN, POLISH, AND SOVIET GOVERNMENTS**

(i) *Note of M. Arosiev, Soviet Minister in Kovno, to M. Valdemaras, Lithuanian Premier, dated May 28, 1928.*

Sir,

In accordance with the instructions of my Government, I have the honour to communicate to you the following:

The Government of the U.S.S.R. has been informed that, during the recent Polish-Lithuanian negotiations in Kovno, one of the members of the Polish delegation declared that the Soviet Government would be inclined to consent to the union, in one form or another, of Lithuania and Poland, on condition that the Soviets be compensated by the annexation of Latvia to the territory of the U.S.S.R.

Although the above information has come to it from an unofficial source, the matter is of such importance that the Soviet Government feels obliged to declare to the Lithuanian Government that this report is a pure falsification, and that the Government of the U.S.S.R. has not at any time, or with any one, not excluding the representatives of the Polish Government, either directly or through the intermediary of third persons, opened negotiations on this subject, and that it has never entertained such a project.

The entirely fictitious character of this report is apparent, as it is in flagrant contradiction with the attitude adopted by the U.S.S.R. to the right of national self-determination, and especially to the independence of its western neighbours. This attitude has been clearly shown by the acts and declarations of the Soviet Government.

The foregoing declaration is brought to the attention of the Lithuanian and Polish Governments.

I have, &c. . . .

AROSIEV.

In reply the Polish Foreign Minister addressed the following note to the Soviet Minister in Warsaw:

(ii) *Note of M. Zaleski, Polish Foreign Minister, to M. Bogomolov, Soviet Minister in Warsaw, dated May 31, 1928.*

Sir,

I acknowledge the receipt, on May 29, of the copy of the note addressed by M. Arosiev, Soviet Minister in Kovno, to M. Valdemaras, Premier of the Lithuanian Republic, concerning declarations alleged to have been made by a member of the Polish delegation in Kovno.

With reference to this note, I must affirm categorically, not only that none of the members of the Polish delegation in Kovno ever said anything to anybody about the alleged intentions of the Soviet Government to consent to the union of Lithuania with Poland, in return for the compensation of annexing Latvia with the U.S.S.R., but that there were not, and could not be, any conversations on such a subject, because respect for the independence and sovereignty of States is one of the fundamental principles of Polish foreign policy.

While thanking you for kindly communicating to me the aforementioned note of M. Arosiev, which is obviously based on unfounded rumours—rumours which, as the Soviet Government adds, have reached it through unofficial channels—I welcome, with great satisfaction, the authoritative declaration of the Soviet Government on a matter of such great importance as its attitude to the principle of the self-determination of nations and to their right of independence, with particular reference to the Baltic States which are mentioned in the note.

I have, &c.,

AUGUST ZALESKI.

## IX. POLAND

SPEECH OF M. ZALESKI IN THE SEYM ON FOREIGN POLICY  
MAY 18, 1928

The election of Poland to the Council of the League of Nations at the Seventh Assembly testified to the growth of her authority in international relations. It also showed our confidence in the benefits which Poland would derive from her co-operation in the organization of peace. Fully conscious of our responsibility, we have directed our activity in the League, not only towards serving our national interests, but also towards contributing to the solution of general problems which are of concern to the whole international community.

Among these efforts we must mention, first of all, the declaration against aggressive war submitted by the Polish delegation to the Eighth Assembly of the League. This project constituted not only a moral success of the peaceful policy of Poland, but drew, at a particularly critical moment for the League, the attention of public opinion all over the world to the Geneva institution as a tribune from which, in a harmonious atmosphere of international co-operation, the essential principles of the work for the consolidation of peace are expounded, and the means for realizing the work are indicated.

*Treaty for Outlawry of War*

It is therefore with delight that we welcome the initiative of the great American Republic, similar in all respects to the proposal which we made last year. We are gratified to notice that certain States which made far-reaching reservations to the Polish plan eight months ago have now modified their attitude. As for ourselves, we are prepared to continue along the road already traced. It is obvious that I cannot yet declare whether Poland will adhere to the future pact, because it is impossible, on account of the number of amendments proposed, to foresee the character of the definite draft.

To-day we can only state our requirements. They fall under three essential headings:

1. The new pact must in no manner contravene the Covenant of the League of Nations ; it may only supplement the Covenant where the safeguards against war are insufficient ;
2. The new pact must not make it impossible for a State to defend itself in case of aggression ;
3. If a State, signatory to the pact, resorts to hostilities, all the other States must be released from their obligations.

I am convinced that Mr. Kellogg's proposal complies with the first of the conditions which I have just mentioned. As regards the other two points, I conclude from Mr. Kellogg's speeches that our point of view agrees with his.

There is one more reservation. If the second point in Mr. Kellogg's proposal, that is, obligatory settlement of disputes by peaceful means, were to be modified so as to give it greater precision, as one of the States which may be a party to the pact seems to demand, we should be compelled to make our adherence to the pact conditional upon an explicit and categorical assurance that all procedures of arbitration and conciliation must be executed in strict conformity with the existing treaties.

The Government is following with great interest the development of this question, to which it attaches great importance, and is in direct contact with its allies as well as with the Government of the United States, the author of this important proposal which may become extremely beneficial to humanity.

#### *Alliance with France*

We try to supplement this general contribution to the work for the consolidation and organization of world peace by developing good relations with individual States. In this respect, special mention must be made of our relations with France and Rumania, which constitute, I am fully convinced, an indispensable link in the chain of agreements having the maintenance of peace for their object.

Franco-Polish co-operation, based on a mutual understanding of interests and on sincere friendship, has manifested itself in all matters where the two States have common interests. It has been especially close and intimate in the efforts in the League of Nations for the development of peaceful relations among nations.

The ties of friendship uniting Poland and France show themselves in the permanent contact, not only of the political circles in the two countries, but also of the scientific, artistic, and social organizations. Besides the political understanding, there is also a steady development of trade relations between Poland and France.

#### *Alliance with Rumania*

Our second ally, Rumania, has just passed through difficult times. We are following with interest her efforts towards consolidating her economic situation, which efforts will without any doubt be crowned with happy results, thanks to the great vitality of the Rumanian nation. We desire to see the Polish-Rumanian alliance become firmer, and we want to see it contribute to the co-operation of the two countries in the cultural, economic, and communication fields. The

question of the final delimitation of the Polish-Rumanian frontier, which will soon be definitely regulated, is one of the most important elements of this future development.

I shall now turn to the relations with other States with which, while not being bound by an alliance, we co-operate in complete harmony in the international field.

#### *Relations with Great Britain*

I must emphasize here the importance which I attach to the collaboration of the British Empire in the political affairs of Europe, and particularly the co-operation of the head of its foreign policy with the League of Nations and the League organs.

Our economic and financial relations with Great Britain have improved considerably during the period under review. I believe I can say that this evolution is natural. Whereas formerly the precarious financial stability of Poland kept British capital away from us, now, when conditions have changed, British circles, whose contact with Poland is steadily becoming closer, begin to realize more and more the scope of our economic life and the efforts made to assure its stabilization. This factor has favoured the collaboration and mutual confidence of the two countries.

As regards our trade relations with the British Dominions, we have undertaken their regulation by means of special agreements. Negotiations are now in progress with Canada and South Africa.

#### *Relations with the United States*

Our relations with the United States have become closer during the last years, as shown, among other things, by the conclusion of several agreements, such as the agreement on copyrights and the extradition treaty, which will be submitted to the Diet in the near future.

We have recently received from the United States a proposal to conclude a treaty of arbitration and conciliation. We accepted it with satisfaction, not only because the signature of such an agreement would perfectly comply with the Government's policy, but also because the United States proposal is a testimony of the interest which America has in the progressive stabilization of peace in Europe.

#### *Relations with Italy*

The hospitable reception which I found in Italy showed that the ties of traditional friendship uniting the Italian and Polish nations had not relaxed.<sup>1</sup>

<sup>1</sup> M. Zaleski visited Rome in April. See also *supra*, *Italy*, p. 133, for Signor Mussolini's remarks on M. Zaleski's visit.

The fantastic rumours that ran in the press of certain countries on the occasion of my visit to Rome are without any foundation. The truth is that, while I frequently had been in contact with the heads of the Powers represented in the League's Council, I have not had the opportunity for a long time personally to meet Signor Mussolini. Availing myself of my stay in Rome, I discussed with him a certain number of questions bearing on the foreign policy of the two countries. And I can say with satisfaction that the opinions of the two Governments on those questions are in full agreement. I was convinced in particular that Italy will support our efforts for the maintenance of international peace.

The Polish-Italian trade relations are expanding. This applies in particular to our traffic in the Adriatic ports, where Polish trade has lately increased many times. Mention must also be made of the final settlement of the Polish debt to Italy, by the conclusion of a special agreement at Warsaw on December 18, 1926.

#### *Relations with Lithuania*

You will now permit me, Gentlemen, to deal with the relations with our neighbours, that is, relations which by the very nature of things offer most difficulties and are of the greatest concern to us.

First of all our relations with Lithuania. There is no doubt that we made a great step forward when the state of war, proclaimed unilaterally by Lithuania and prohibiting all neighbourly relations between the two countries, was abolished. This liquidation took place last December at Geneva during the session of the League's Council, which Marshal Pilsudski attended personally. There still remains much to be done before normal relations between Poland and Lithuania can be resumed. The execution of the League's resolution, recommending the opening of direct negotiations in order to establish relations of a nature that would assure, between the two neighbouring States, a good understanding upon which peace depends, has so far been realized only in a small measure.

In fulfilment of the resolution adopted by the Council of the League of Nations last December, we have opened direct negotiations with the Lithuanian Government, they were started at Königsberg on March 30 and are continued at present in the commissions. In these discussions we raised, as the first step to an agreement, the regulation of questions of communication, these being of the greatest practical interest, that is to say, questions of railway transports, postal and telegraphic communications, transit and frontier traffic. In answer to the question of security brought forward by the Lithuanians, we pro-

posed the conclusion of a non-aggression agreement and a treaty of arbitration. These two proposals which we made, although drafted on the pattern of the usual agreements of this kind, such as are ordinarily concluded between two equal states, were rejected by the Lithuanians, who promised to present their counter-proposals on June 25. We shall await those proposals in the hope that they will satisfy both parties.

But before that takes place work will be carried on by two other commissions: the economic and communications commission and the juridical commission. Here I must note that, having agreed, on account of Lithuanian sensitiveness, not to raise in the course of these discussions the territorial question which was definitely settled by the Conference of Ambassadors, at the request of Lithuania and in conformity with the Versailles Treaty, the Polish Government has made the maximum of concessions. But there can be no question that the Lithuanian Government will not make us take in these discussions any initiative to change the territorial situation. We realize that, under the conditions determined by the history of these last years, Polish-Lithuanian discussions are not easy and require long and patient work. None the less we hope that the sound instinct of the Lithuanian nation will assert itself, and that Lithuania will carry on her discussions with Poland with as much goodwill as we ourselves bring. Under such conditions, I am certain, the negotiations will be crowned with happy results.

#### *Relations with Germany*

The policy of the Polish Government in respect of Germany has been characterized, in the international field as well as in direct relations, by a tendency to enlarge the basis of co-operation and of normal neighbourly relations founded on the existing treaties.

As you well know, Gentlemen, a whole series of questions concerning the settlement of accounts has for a long time been the object of discussions between the Polish and German delegations at Berlin. Included in these discussions, which require a very careful study, are questions relating to the liquidation of budgetary accounts, pensions and annuities, liquidation of bonds and credits, undertakings in respect of war pensions, division of property belonging to autonomous administrations on the frontier, social insurance, and many other questions. Our delegation has obtained certain concrete results by concluding the following agreements: agreement on inheritance questions, agreement on transfers, &c., &c.

Parallel with these negotiations, which had for their object the

settlement of mutual relations in the frontier region, we have concluded an agreement concerning the administration of the frontier sector of the River Warta, as well as a similar convention concerning the River Drewenz. Besides, we have signed a convention relative to customs formalities and passports at the Chojnice and Tczew stations, &c., &c.

Apart from the aforesaid conventions, I want especially to mention the conclusion last autumn of a Polish-German emigration convention which is very important to our seasonal emigration. This agreement has settled the question of our emigration to Germany, and has put an end to the expulsion by German authorities of our agricultural workmen established in Germany. Moreover, a provisional agreement regulating the export of timber to Germany has been concluded for one year.

In accordance with the view that the fundamental condition of normal co-operation between the two States is the settlement of their mutual economic relations, the Polish Government has sought to bring to a successful end, as soon as possible, the Polish-German commercial negotiations. After the breakdown of these negotiations in February 1927, we came to an agreement, in March of the same year during the conversations which I had at Geneva with Herr Stresemann, that diplomatic discussions should be taken up provisionally in order to lay down the principles for the determination of the rights of persons in the future trade agreement, as well as to clear certain fundamental economic questions. These discussions resulted in the signature on July 21, 1927, of a protocol determining the manner in which the rights of persons should be settled as regards admission, sojourn, and establishment of citizens of the two countries.

On the contrary, the other diplomatic discussions concerning economic matters, which constitute the essential part of every trade treaty, had met with obstacles. The cause of these difficulties must be sought in the general tendencies and spirit prevailing in certain German economic circles, which are opposed to the conclusion of a treaty with Poland.

It was only after preliminary conversations, which lasted several months, between the Foreign Ministry and the German Government, that we obtained certain decisions, as a result of which negotiations in commissions could be opened. At the same time, it was decided to transfer the negotiations from Berlin to Warsaw. The commissions were established last January.

Nevertheless, I must state that, unfortunately, the contentions set forth by certain influential German circles do not make me feel

optimistic about the near future, as they do not contribute towards creating an atmosphere which is necessary to fruitful work.

### *Relations with Russia*

In her policy with regard to the Soviet Union during the last period, Poland was inspired by the desire to maintain proper political neighbourly relations, fulfil her undertakings under the Riga treaty, as well as to develop and strengthen the economic relations.

The negotiations carried on at Moscow concerning a pact of non-aggression have contributed in a large measure towards making our relations with Russia normal. Certain problems, it is true, have not been settled ; they are the relations with the League of Nations, arbitration and conciliation, and Poland's desire to see the pact cover as much as possible the problem of peace in Eastern Europe. Nevertheless, I can say that, if these negotiations have not yet been crowned with success, the cause lies in the particular attitude of the Soviets toward the League of Nations and toward the problem of arbitration. It is no less true that the discussion concerning the non-aggression pact, although it has not produced results for the reasons which I have just mentioned, has shown that Poland sincerely desires the establishment of peaceful and normal relations with her eastern neighbour. Similarly, the work of the local mixed commissions has contributed towards the maintenance of peaceful relations between the two countries. These commissions, as is known, are charged to settle on the spot all differences and incidents that may occur on the Polish-Soviet frontier, and thus diplomatic incidents are avoided.

Moreover, in the course of several railway conferences we have been able to agree upon a series of problems connected with communication and transit, and recently, thanks to an understanding between the two parties, the transport of merchandise without unloading has been established.

Turning to the second point of the Polish-Soviet relations, that is, the execution of the Riga treaty, it must be said that, unfortunately, the total fulfilment of all the obligations contracted by the Soviets, particularly the material questions, is still far behind. The work of the special mixed commission deserves mention here, for it is thanks to it that a number of works of art, historical treasures, and archives have been repatriated. . . .

As regards the third and last point of the Polish-Soviet relations, that is, economic relations, mention must be made of the difference existing in the political, social and economic, and other systems of the

two countries, which makes the development of normal economic relations between them difficult. The existence of the Soviet foreign trade monopoly makes commercial exchanges with the Union impossible in any manner other than through the state organs, which are often guided not by purely economic reasons. Nevertheless, certain favourable results have been obtained, and the volume of trade between the two countries is increasing from year to year. The intensive activity of the Chamber of Polish-Soviet Commerce, as well as of the Polish-Soviet company for trade with the U.S.S.R. (Sovpoltorg), has also been responsible for increased trade between the two states. Finally, we are on the point of ending the preliminary work with regard to a treaty of commerce ; negotiations for the treaty will be opened in the near future.

#### *Relations with Czechoslovakia*

Turning to our relations with Czechoslovakia, I must say that they have developed in a very friendly spirit with a view to effecting and completing the agreements concluded in 1925, and thus creating a fixed basis for a stable cultural and economic understanding between the two countries. . . .

On November 6, 1926, the trade convention with its two protocols, as well as the railway and veterinary agreements, came into force. . . . The delimitation of the Polish-Czechoslovak frontier was completed on October 27, 1927. Simultaneously with the tracing of the frontier, a series of agreements settling the frontier relations were concluded. . . .

#### *Relations with Baltic States*

In February 1927 we signed a treaty of commerce and navigation with Estonia, which the Estonian Parliament has already ratified and whose entry into force depends on your acceptance, Gentlemen. I do not doubt that the Diet will ratify this agreement in the nearest future.

Our relations with Finland are developing favourably. The question of her admission to the Council of the League of Nations was supported by Poland, and our co-operation with Finland in the League must be justly appreciated.

As regards our ever friendly relations with Denmark and Sweden, they had been strengthened by the conclusion of arbitration and conciliation agreements, which entered into force last year. The coming into force of the trade agreement with Norway, recently supplemented by an additional protocol, will enable us to strengthen the friendly relations which unite us with that country, and will constitute a real basis of reciprocal interest between the two states.

Our trade with the Scandinavian countries has shown a constant development during the last years. . . . The fact that Scandinavian capital is seeking investment in Poland shows the interest which those countries have in Poland. . . .

#### *Relations with the Balkan States*

The announced ratification of the Polish-Yugoslav pact of friendship and arbitration by the Yugoslav Skuptchina will establish a new basis for the further strengthening of the ties of friendship between the two sister nations. I hope that our political and economic relations will not fail to take a more and more favourable turn.

The provisional trade and navigation agreement with Bulgaria, signed at Sofia on April 29, 1925, came into force on February 12, 1927. . . .

The Polish Government and the whole nation have the greatest sympathy for Greece and Bulgaria in their sufferings from the earthquake. . . .

#### *Relations with Austria and Hungary*

Our economic and political relations with Austria have not undergone in their general lines any change, and they are developing favourably to the advantage of both countries.

In consequence of the custom tariff increases in Poland, negotiations were opened with Austria for the settlement of questions connected therewith. We granted Austria increased contingents for certain commodities, thus showing our desire to free the Austrian Republic from certain inconveniences resulting from the customs tariff change. In return, we are trying to obtain certain facilities for our exports to that country.

Our relations with Hungary are developing favourably, and I have no doubts that the friendship between the two countries will be strengthened by the conclusion of a treaty of arbitration and conciliation which Hungary has recently proposed to us.

Our relations with Japan, based on a sincere and traditional friendship, are becoming more active, particularly in trade. . . . At the end of March last, there was a manifestation of Poland's gratitude to the Japanese army for the action by which it had indirectly contributed to the restoration of our country. . . .

For some time already the Polish Government has been trying to conclude a treaty with China, relative to the juridical status of our nationals in that country, on an equal footing with other foreigners. At present, for instance, our citizens are deprived of the right to move

about freely, as Polish passports are not recognized in China. . . . The negotiations are nearing the end, and I hope that, in spite of the internal difficulties in China, the treaty will soon be signed.

*Relations with Persia and Afghanistan*

The visit of the King and Queen of Afghanistan to Warsaw, after their visits to Rome, London, Paris, and Berlin, shows the interest which the Asiatic countries have in Poland. The exchange of ratifications of the Polish-Afghan treaty of friendship has definitely consolidated the political basis upon which the relations between the two countries will rest.

The prolonged visit of the Persian Foreign Minister, M. Ansari, in Warsaw has enabled us to remove certain difficulties that stood in the way of the ratification of the Polish-Persian trade convention. . . . Poland will thus be the only country after Russia to have a trade agreement with Persia. . . .

Our relations with Turkey are developing most favourably. The outstanding proof of this is that it was due to Poland's proposal that Turkey was invited to take part in the work of the Preparatory Commission for the Disarmament Conference. . . .

This review will enable you, Gentlemen, to understand not only what has been done in our foreign affairs, but also the principles which have and will continue to guide the policy of the Government. These principles are: (1) maintenance of peace by developing good relations with individual states, and by co-operation with international organs having the organization of peace for their mission; (2) efforts to increase Poland's influence and prestige abroad.

X. U.S.S.R.

SPEECH BY LITVINOFF ON THE INTERNATIONAL SITUATION, BEFORE  
THE CENTRAL EXECUTIVE COMMITTEE OF THE SOVIET UNION, ON  
DECEMBER 10, 1928<sup>1</sup>

Comrades! You have taken the initiative of placing on the agenda of the present session of the Central Executive Committee the question of the position of the external relations of the Soviet Union, and are thus, in part, living up to the traditions of this organization. The interest which you evince in this question is explained by the uneasiness which the present international situation must cause to us all. The report of the Soviet Government on the international position is, in the first instance, intended to furnish evidence of the manner in

<sup>1</sup> Translation prepared for the Information Service on International Affairs.

which the programme drawn up by the highest organs of the Soviet Union, the Soviet Congress, and the Central Executive Committee, has been put into practice. One of the items on this programme which never changes is the endeavour to pursue and strengthen the policy of peace which the Soviet Union has pursued since the first days of its existence, the endeavour to secure peace on its frontiers, and to promote and establish assured universal peace.

### *The Capitalist World after the War*

During the past year, the Soviet Government has been obliged to pursue these principles in an atmosphere of complications and strained tension which has given cause for uneasiness. Both before and after the World War the most important, if not the only factors, which influenced the ultimate issues of international politics, have been the so-called Great Powers, or to express it in a more comprehensible form, the Imperialist Powers. The only change which the World War produced was the withdrawal of the vanquished states from the alliance of Great Powers; and the Russian Empire, which at the desire of its workmen and peasants, had been converted into the Soviet Union and, as such, could have nothing in common with imperialist politics, also followed this course. The only new feature has been the creation by the Imperialist Powers of a very powerful organ, called the League of Nations, of which they make frequent use for the realization of their aims.

Immediately after the war, in which they were victorious, and after the unsuccessful military intervention in the territory of our Union, these Powers were mainly engaged in nursing their own wounds and reorganizing their internal affairs, stabilising their currencies and consolidating the victories which they had gained, that is to say, completing the process of disarming and entirely subduing the conquered states. This process was completed comparatively recently: the conclusion of the Locarno Agreement may be regarded as the last phase in the measures adopted to restrict the freedom of political manœuvring on the part of the most important opponent of these Powers in the World War—Germany. The conclusion of the Locarno Agreement represents the first post-war triumph of the policy of the victorious states, but it may also be regarded as the beginning of a new and more active policy on the part of these states, who are setting themselves new aims, but are making use of the old means and methods.

Simultaneously with the conclusion of the Locarno Conferences, diplomatic relations between the capitalist states became noticeably

more animated. Diplomatic intrigues on pre-war lines are again creeping in, new objectives are being created, new political combinations, groupings, re-groupings, and military alliances are being formed, and, exactly as in pre-war years, political negotiations are finding their way from the offices of the diplomats to the staff head-quarters: discussions of diplomats result in journeys being undertaken by generals and admirals, and everything together points more and more clearly towards the approach of a new and bloody international conflict, and one can even now foretell the probable war zone. The notorious Anglo-French Agreement and the recent Anglo-Japanese negotiations may be cited as the most glaring examples of diplomatic activity of this kind. Those concerned in these agreements and negotiations give official assurance that they have only been dealing with questions of restricted importance: Great Britain and France on the subject of disarmament: Great Britain and Japan on the subject of co-ordination in their methods in China. The wider aims attributed to these negotiations have been denied. These official denials and assurances are not believed, either by us, or in the countries whose Governments participated in these diplomatic events, secretly and behind the backs of their people. It is sufficiently convincing to read a portion of the English press to realize that we are faced with big and important events, and to foretell the progress of events in the near future, which are undoubtedly leading up to a new world war. The international press only throws out hints as to who is the direct object of these new politico-military combinations, and as to whether they only concern the United States, or include the Soviet Union, and perhaps even Italy and Germany too.

There can be practically no doubt as to the ominous character of these combinations. Lloyd George, who has had considerable experience of such matters, described the Anglo-French Agreement as 'the most portentous event since the World War'. I have only touched on the most important factors in connexion with international relations of recent date, but of course these are not the only factors. From the point of view of quantity there have been considerably more suspicious conversations, conferences, and journeys of generals in countries situated geographically nearer to our Union. These may be of greater direct importance to our Union, but they are only accompanying features of the greater events with which I have dealt.

#### *The Peace Policy of the Soviet Union*

As the Soviet Government is entirely absorbed with its internal development, it stands aloof from these diplomatic subterfuges and

intrigues, in conformity with the programme of the highest organs of the Soviet authorities, and declines to participate in any politico-military grouping whatever. Nevertheless, it is obliged to follow with attention the development of events, as it is well aware that a breach of the peace in any quarter of the globe might lead to a general war, and that even if the Soviet Union were not drawn into the war in the shape of a combatant, any war would affect seriously its economic position and interfere with its plans of development. The Soviet Government must, of course, devote particular attention to the part which its immediate neighbours are taking in the international combinations and groupings, and be well posted in all matters which might directly affect its interests. The Soviet Government feels it incumbent upon it, in its endeavour to promote with every means at its disposal the maintenance of universal peace, to expose to the public opinion of the whole world and particularly to the workers, who are, as a rule, the chief victims of war and its attendant sufferings, the international intrigues, which contain in themselves the elements of war.

#### *General Disarmament as the only Guarantee for Peace*

At the same time the Soviet Government points to the means of assuring a maximum amount of security for general peace. The Soviet Government considered, and considers, this to be immediate, complete, general disarmament, or at least maximum restriction of armaments as the first step towards complete disarmament. These principles were expressed in the two proposals—embodying complete and partial disarmament—which were submitted by the Soviet Delegates at the Preparatory Disarmament Commission of the League of Nations.

The Soviet Government has rendered the greatest service to the cause of peace, in that it was at its instigation that the question of complete disarmament was first officially brought forward for discussion. Although this problem is not yet solved, the mere fact that the question has been touched upon will serve to stimulate the will and the energy of the masses of the people, who are striving for peace.

You know, Comrades, the fate of the disarmament proposals which I have just mentioned, as the work of the Soviet Delegation at Geneva has been dealt with in a special report, which I submitted at one of the earlier meetings of the Central Executive Committee. The proposal for complete disarmament was turned down in its entirety, without any grounds whatever. The proposal for partial disarmament was reserved for future consideration, and apparently the League

of Nations does not intend to deal with it at all. The approximate date fixed for the next meeting of the Preparatory Disarmament Commission is long past, but the Commission is showing no signs of life. In August I asked the President of the Commission whether and when he intended to convene a meeting, and received the indefinite answer that he would only be able to come to a decision on this point when the plenary session of the League of Nations, which was then sitting, was concluded, and when certain circumstances had been investigated.

### *Military Alliances instead of Disarmament*

The plenary session of the League of Nations is long past, and the circumstances which were delaying the President of the Commission have also been dealt with. These circumstances were the notorious Anglo-French negotiations on the subject of naval armaments. The facts are as follows: The Preparatory Disarmament Commission decided that the differences of opinion which had arisen within the Commission, between the individual states, and more especially between the so-called Great Powers, should not be settled openly by the Commission and with the participation of all the members of the Commission, but behind the scenes, by means of secret diplomacy. The Preparatory Commission was therefore obliging enough to be willing to postpone its work and await the outcome of the negotiations which were then being conducted, on the subject of differences of opinion between the Great Powers. A private conference of these Powers was held in Geneva, but ended unsuccessfully. Further negotiations were only conducted between Great Britain and France, and were brought to a close by an agreement on the old diplomatic principle: I give so that you may give. In this particular case, this means that each party to the negotiations undertook not to insist upon the restriction of those armaments in which the other party was particularly interested. Where is the disarmament in this? you will say. This is, rather, a non-disarmament agreement. You are wrong. That is not quite the case, because both parties agreed to the restriction of such armaments as are of interest to those states which did not take part in the negotiations. It therefore happened that a third naval power, the United States, declared that it was unable to accept such an agreement.

The events, therefore, upon which the convention of the Preparatory Disarmament Commission depended, ended in a fiasco and in an aggravation of the already existing differences of opinion on the subject of naval disarmament. I accordingly asked the President of

the Commission what events he was still waiting for before being able to convene a meeting, and if it was not high time that the Commission meet and decide whether there was any justification in retaining such an organization, and if so, what were to be its functions. If the President of the Commission should answer that new negotiations would probably be opened between the 'satisfied' Powers, namely Great Britain and France, and the 'dissatisfied' Power, the United States, the result of which he intended to await, the masses of the people which are thirsting for peace will have to fortify themselves with a tremendous amount of patience. The negotiations between Great Britain and France lasted five months. The larger the number of participants, the longer the negotiations take, and, therefore, negotiations in which the United States were also participating would take even longer. And if an understanding should be reached, this understanding might be unacceptable to other naval Powers: and then new negotiations would be opened with these, occupying proportionately longer periods each time.

The agreements concluded by each group must, however, be submitted to the Preparatory Commission for consideration, and then those states which have not participated in any of the group agreements will be able to express their opinions on the agreements, and the negotiations will be drawn out *ad infinitum*. I therefore proposed in my letter to the President of the Commission to abandon these methods, which would only lead the Commission into a blind alley, and to bring forward the Soviet proposal for partial disarmament. The advantage about this proposal is that it contains general maxims binding on all states in regard to the reduction of armaments, and thus obviates the necessity of private negotiations between individual states or groups of states. I have already dispatched my letter, and as soon as it has reached its destination it will be made public, that is to say, in a few days' time.<sup>1</sup> The position has been as follows: The Soviet Union, which was only asked to participate in the work of the League of Nations last year, on the question of disarmament—although it had been occupied with this question for the past 8 or 9 years—is prepared to take a most active part on this Commission in reaching some definite solution.

#### *The Disarmament Proposals of the Soviet Union or the Kellogg Pact?*

Our disarmament proposals were, in the interim, crossed by the proposals of Mr. Kellogg to conclude an International Pact, renouncing

<sup>1</sup> The new proposals of the Soviet Government were discussed by the Preparatory Commission at its session in April, 1929, but were not adopted.

war as an instrument of national policy. Our Government adopted a critical attitude towards this Pact and pointed out its weaknesses and its limitations. The proposal for renouncing war had also been embodied in our proposals for a pact of non-aggression, which we had submitted to a number of states. Our proposals, however, dealt with the question of non-aggression on a broader basis and excluded all possibility of ambiguity. The Pact proposed by us also stipulated for the preservation of neutrality, and the abstention from participating in the formation of hostile groups and combinations. Had these proposals been accepted by the majority of the states, a severe blow would have been struck at the system of forming politico-military groups, combinations, and alliances, which characterized pre-war international diplomacy, and led to the War, and which, as already mentioned above, still holds out the danger of the outbreak of a new and universal war. Nevertheless, our Government was guided by the consideration that the states which signed the Kellogg Pact assumed a certain moral obligation to public opinion in the sense of non-aggression, that the Pact was of a certain, if restricted, importance, and therefore agreed to it without hesitation, and has already effected its formal adhesion to it. Our Union was, therefore, one of the first states to ratify the so-called Kellogg Pact, although this had not been ratified by any of the other 14 states which signed the Pact in Paris, and which are looked upon as the instigators of it. Any one who knows the history of how this Pact originated, and has followed the exchange of letters on this subject between the United States and other states, and who knows how intense was the opposition to this Pact, and how unwillingly it was received by the majority of the states, with the exception of our Union and several small and medium-sized states, cannot be surprised that there has been no great eagerness to ratify it. It is not without interest to mention that Poland has not yet ratified it, and that of our Baltic neighbours, with the exception of Lithuania, none have yet agreed to sign the Pact. The steps taken by the Soviet Government to promote peace have not been encouraged by the other states, as you see. This was the case at Genoa, this was also the case at the Disarmament Conference convened by us in Moscow, and when we proposed a pact of non-aggression, and the same thing is happening to our proposals on disarmament. But this is not all: our efforts at establishing peace are offensive to some, and have even aroused antagonism in several states. It would appear as though the efforts of the Soviet Union in the cause of peace, which are opposed to the policy of those states in which the inviolability and the retention of armaments at their

present level is advocated, and an increase in these is even contemplated, do not contribute to an improvement in our relations with these states.

### *The Hypocritical Pacifism of the Imperialists*

It must be admitted that our peace proposals place the imperialist countries in a somewhat difficult position. Whilst they decline to adopt our proposals, they must pay a certain tribute to the anti-war tendency among the working masses and the pacifism among the small *bourgeoisie*. They dwell upon their love of peace unceasingly, the word 'peace' is always on their lips, and as it is inconvenient politically to admit that they do not wish to disarm, and as, on the other hand, they have no arguments to raise against our disarmament proposals, they take refuge in affecting to doubt the sincerity of our proposals. This is a cheap and unconvincing argument, which does not meet the case. The only test of our sincerity would be the acceptance of our proposals, and then, if the public were actually convinced of our insincerity, it would only be necessary to affect to adopt these proposals to bring about our exposure. But they do not do this, as they know very well how bold such a step would be. They know in their hearts that we do wish for disarmament, and if our sincerity were actually put to the test the result would put them to confusion.

### *France and the Disarmament Question*

The Prime Minister of France, M. Poincaré, recently issued a very bold challenge. He declared before the Chamber of Deputies that as soon as it has been proved that we are prepared for general disarmament, he would 'solemnly undertake to follow our example'. M. Poincaré knows well enough that the Soviet Government has already declared its willingness to agree to general disarmament, and not in the form of a casual remark, but at a public meeting of international organizations, namely at the Preparatory Disarmament Commission, before the whole world. We only ask that he may declare in the same manner his willingness for general disarmament. But if this is his attitude, why do M. Paul Boncour and other delegates of the French Republic, not only turn down our proposals as absolutely unacceptable, but join the ranks of the chief opponents to these proposals on the Preparatory Commission? If M. Poincaré's proposal is made in a spirit of earnestness and sincerity, he only need convene the Preparatory Commission, and I solemnly undertake, in the name of the Soviet Government, to repeat our proposals and declare our readiness in every respect to disband the Red Army

entirely, in conformity with the disarmament proposals. That would be a true test of sincerity. I doubt very much, however, M. Poincaré's readiness to make this experiment.

From another Minister of the French Republic, M. Briand, we recently heard the unexpected, and—to put it mildly—incredible statement, that the stumbling-block to general disarmament was—just think of it—the Red Army! I base this remark on the interview with M. Briand which has appeared in the Press, in which he is alleged to have said:

'The chief reason why the European Powers have not been able to proceed in the direction of reducing armaments is that the Soviet Government is maintaining a very large and powerful army, and is, in fact, boasting of its fighting strength.'

M. Paul Boncour declared at the September session of the League of Nations that 'the fate of the disarmament proposals depended on the decisions of the United States and the Soviet Government'.

It is a fact that we do boast of the fighting strength of the Red Army. It is only owing to this fighting strength in which we place our trust, that the Proletariat State has existed for 12 years, and has been able to develop the Socialist system. But we only need this powerful army so long as we have to contend with the mighty armies of the capitalist States. If these armies are disbanded we shall not need an army ourselves. We shall be able to find much more useful and productive employment for our Red soldiers than military instruction.

We made these proposals, but M. Briand's Government turned them down and continues to turn them down. What then can be the meaning of these side-thrusts at our Red Army?

#### *The French Army and the Red Army*

M. Briand thought good, for the sake of greater effect, to state at the plenary session of the League of Nations—though out of politeness he did not mention any names—that the army of the Soviet Union is growing more rapidly than that of any other country, both as regards numbers and war material. Even if this were correct it would be no justification for declining to accept our disarmament proposals.

This statement is in reality untrue. I do not propose to quote actual figures in speaking of the armies of Soviet Russia and France, as this would prove nothing, but as it is frequently remarked that the French Army is now smaller than it was before the War, it will not be misplaced to inform you that, basing my statement on the official French returns and on those of the Statistical Department of the

League of Nations, I may say that the military expenditure of France in 1913 amounted to £70 million sterling, and that that of 1928 amounted to £78·5 million sterling. I think, however, that the following figures will be even more convincing:

	<i>France</i>	<i>Soviet Union</i>
Number of soldiers per sq. kilometre .	666·7	26·5
Number of soldiers per kilometre of frontier . . . . .	132·3	31·2
Number of soldiers per 100 inhabitants	9·2	3·8
Military expenditure per inhabitant .	£1·92	£·52

In dealing with this theme the following facts must not be lost sight of: before the War France had to reckon with a powerful German Army, 800,000 strong, which undoubtedly constituted a danger to France. At present this army only consists of 100,000. In addition to this the Security Pact of Locarno has been concluded, by which Great Britain guaranteed to exert all its powers in the support of France, should it be attacked from the east. I have omitted to mention the alliances between Czechoslovakia, Rumania, Jugoslavia, and Poland in relation to France. We, on the other hand, can count on no outside support. Along the entire length of our western frontier are countries which are heavily armed and are continuing to arm, and in addition have every reason to count upon the help of the French Army, and perhaps the armies of other countries. When comparing the armies of various countries, their character and composition must be taken into consideration, and therefore, the fact cannot be disregarded that the Red Army is mainly built up on the territorial principle, and is suitable rather for defence than offence. We must, however, place in the foreground the fact that we have given proof of our intentions by our proposals for non-aggression and disarmament, and by the peace policy which we have pursued during the past 11 years, whereas other countries which have declined to adopt our proposals have given us adequate grounds to doubt their peaceful intentions towards our Union.

#### *Poland and the Soviet Union*

M. Briand, who mentioned our army, did not only speak of France, but also touched upon Poland and Rumania, which are said to be 'feeling some uneasiness with regard to Russia's intentions': M. Briand stated that he could quite understand this uneasiness, and that 'Poland and Rumania were desirous of maintaining extremely cordial relations with Russia'.

I should like to have the opportunity of asking M. Briand the following questions:

How does he explain the fact that Poland has repulsed all our friendly overtures? Why did Poland decline to adopt our proposals in 1922 on proportional reduction of armaments in Soviet Russia, Poland, and the Baltic States, which would have entailed a far greater risk for us than for the other parties at the Conference? Why did Poland not accept our proposal for the conclusion of a pact of non-aggression, which would certainly have tended to reduce its 'anxiety' in regard to the Soviet Union, and would have constituted a greater guarantee for peace than the Kellogg Pact? At the time, Poland accounted for its negative attitude in this connexion by stating that it was impossible for it to sign such a Pact without indicating its obligations to the League of Nations, and without placing on record the terms of arbitration which were binding upon it. Nevertheless, Poland signed the Kellogg Pact recently without making these stipulations, and so demonstrated the complete lack of foundation for the attitude adopted in the negotiations with us. Consequently, it must have been animated by other considerations when it declined to sign the pact of non-aggression. What were these considerations? Further: why does Poland systematically avoid the conclusion of a trade treaty, why does it open negotiations and then immediately break them off again? A trade treaty is no guarantee against attack, but would serve to strengthen the relations between state and state and is, hence, an attribute of peace. By what other means has Poland evinced its peaceful intentions towards the Soviet Union? Perhaps through the speeches of Woiwods (Governors), who have publicly propagated the idea of violation of the territorial integrity of the Soviet Union? Perhaps by its warm welcome to emigrants, enemies of the Ukrainian workers and peasants? Or perhaps by means of the discussions which have been conducted in the Polish press on the subject of robbing the Soviet Ukrainians and Soviet Russians of their independence, and bringing these republics into subjection? We should like to be shown one single Polish proposition which may be construed as the expression of the cordial feelings of the Polish Government. We cherish no aggressive sentiments, intentions, or plans against Poland. We know that correct relations exist between ourselves and Poland, but we consider this insufficient, and we have shown clearly enough that we are seeking to consolidate and broaden these relations. We shall continue in our endeavours, as we are aware of the extreme importance which an improvement of our relations with Poland would have, not only for the East, but in the

interests of general peace. We should, however, like to have been able to show that there was some inclination on the other side to meet us. I permit myself to assure M. Briand that his anxiety for the fate of Poland, so far as we are concerned, is quite groundless: but we should like to be reassured as to Poland's policy in Eastern Europe and particularly in regard to the Soviet Union.

#### *The Soviet Union and Rumania*

In the case of Rumania we have given the clearest proof of our friendly intentions by the pacific attitude which we have adopted, even though the question of Bessarabia, which is occupied by Rumania, is still outstanding. The Governments, which have, up to the present, followed one another in succession in Rumania, decline to accept our proposals made at the Vienna Conference for an honourable and peaceful solution of the points in dispute, made with a view to furthering the interests and meeting the wishes of the Bessarabian population, but have preferred, rather, to prepare to solve this question by force of arms. With this end in view, they entered into military alliances against us, participated in anti-Soviet combinations and encouraged the Petlurists and Russian Monarchists in preparing for their escapades. It would appear as though such a policy as this could hardly lead to a solution of the Bessarabian question. We hope that the new Government of Rumania will adopt other methods to reach an understanding with the Soviet Union.

There are no grounds for anxiety in the peace policy of the Soviet Union, but in the facts which I have already touched upon regarding the relations between the Polish and Rumanian Governments, in the uninterrupted conversations between the general staffs of these two countries and in their lively intercourse with French military circles. The entire European press, and not only the Soviet press, has drawn attention to the frequent visits of the French general, Le Rond, to our neighbour states. The French Minister in Moscow informed me that General Le Rond had no official mission whatever. I will not cast any aspersions upon the official statement of the French Government, but the fact that General Le Rond has paid frequent visits to the south and south-east of Europe is undeniable, and public opinion here is not prepared to believe that generals travel about carrying olive-branches, and therefore its uneasiness is easily understood.

#### *Our Relations with France*

I regret that M. Briand only mentioned the Soviet Union in connexion with our army, which is and will continue to be the element

least calculated to cause anxiety to France. I am convinced that M. Briand does not consider that our Union has any hostile feelings or intentions towards France whatever. He cannot be unaware that there are no obstacles on our side to the establishment of friendly relations with France, that between the Soviet Union and France there are no conflicting political interests and that, therefore, neither country can have any interest in the army of the other. We should have preferred it if M. Briand had dwelt upon the pact of non-aggression proposed by us, if he had mentioned the proposals submitted by Rakowski more than a year ago, for the settlement of those questions which are already interesting French circles. We should have preferred it if, instead of tirading against our army, he had discussed with us the conclusion of trade and other agreements, which would have led to an improvement of economic relations between our two countries. In short, we should be glad if M. Briand were better informed of our intentions and aims, then perhaps he would not have made these assertions against us which I have just mentioned.

#### *The Wreck of our Peace Policy by the English Conservatives*

The Conservative Government of Great Britain has evinced considerable opposition to our endeavours. Our proposals for disarmament, and our exposure of the imperialistic intrigues of Great Britain, have apparently been responsible in part for the fact that our relations with Great Britain have not yet been re-established. Eighteen months have passed since the rupture with Great Britain, and the British Government and the English people have had ample time to consider the effects which this breach has had on Great Britain. It may be assumed, and with complete justification, that it was intended, firstly: to place the Soviet Government in such a position, from a material point of view, that it would accept any new terms which were dictated to it; secondly: to ruin the prestige of the Soviet Union in the Near East, and, thirdly: by setting an example to other states to bring about the complete isolation of the Soviet Union, and to strike a crushing blow at us. If this was the case, it may be asserted that none of these objectives has been gained. We are just as unwilling to agree to any unacceptable terms which may be thrust upon us as we were before the breach: from a material point of view we have suffered less than Great Britain itself from the rupture of relations, which is evinced by the fact that we have not availed ourselves of the trading facilities and credits to the amount of some £15 million sterling, which were offered to us by a powerful English

financial group, and were not withdrawn after the break-off of diplomatic relations. We have not availed ourselves of these facilities, not on account of the boycott by Great Britain, but because we have found better openings in other countries, and because the lack of any legal basis, and the uncertainty and instability of political relations, have led us to avoid entering into such long term transactions with English firms as are necessary to our programme of economic development. Our relations with the countries of the Near East and Turkey have never been so satisfactory as at present. The example given by the Conservative Government of Great Britain in breaking off relations has not been followed by other countries, and the position of our relations with the outside world, with the exception of England, has remained as before. The result of the breach has only been the infliction of serious injury to the commercial interests of important English industrialists, a heightening of the tension in the international situation, and increasing danger of war.

In the speeches of some of the representatives of Great Britain which have been delivered recently, the first signs of appreciation of the fact that the rupture of relations, from the point of view of English interests, was a mistake and has led to no satisfactory results, are becoming evident. We welcome these signs, because it was not we who sought to break off with England. We have never concealed our desire to maintain and develop relations with all countries, without exception, and more especially with a country such as England, which is so advanced in industrial development. When English Ministers, defending themselves against reproaches at the long duration of the breach between these two gigantic states, speak of the necessity of the initiative coming from us, they forget that they have no reason to doubt our desire to re-establish relations, whereas we are still unaware of what changes may have taken place in the outlook of the Conservative Government of Great Britain, which led to the original breach. The Soviet Government has very little regard for matters of form and etiquette, and therefore, took upon itself the attempt to clear up this point at Geneva—represented by me. In the course of a conversation with me, Chamberlain showed his preference for discussing the events of the past rather than the possibilities of the future, and consequently, any continuation of negotiations was useless. When, however, English Ministers, in replying to questions asked by Members of Parliament who are anxious to re-establish relations, compare our Union to a toppling structure which it is dangerous to approach, this must only be regarded as an election manœuvre, intended as a tardy justification

of the breach and to parry any reproaches which may be directed against the Conservative Government in view of the approaching election. I am convinced that the English Government itself is excellently informed of the actual position of our Union, and knows that the simile of a toppling structure does not in any way apply. The Soviet Government will live to see more than one new British Government; in any case, we shall allow for the possibility of a continuation of the old, hostile policy of the Conservative Government towards the Soviet Union, with all its attendant results.

### *Preparation for an Armed Attack upon the Soviet Union*

We are often told that we make bogies of anti-Soviet alliances which do not actually exist, that we exaggerate and invent dangers which threaten us, and that we place abnormal confidence in reports of anti-Soviet plans and preparations. Of course, all such reports are not worthy of equal confidence and attention, all such rumours cannot be definitely proved by documentary evidence. In fact, we think it possible that some rumours are circulated for the sole purpose of annoying and intimidating us.

But what we do know, by means of authoritative information, documentary evidence, and official statements made by our enemies, is sufficient to enable us to see clearly the dangers which threaten us from without. Hostility to our Union has never ceased, it has only assumed different forms to meet altered situations. Yesterday: intervention and complete blockade; to-day: attempts at a boycott and isolation; to-morrow: perhaps further intervention or war. The reason for this is that some of the capitalist countries have not yet accepted the idea of the existence of two social systems, the capitalist and the socialist system. They still feel that their most important duty is to destroy the only proletariat state, in which for the first time the power is entirely vested in the hands of the workers and peasants. Their solemn declarations, that they would have no objection to the workers and peasants building up their social and political system to their own satisfaction within the Soviet Union, if they would not interfere in the affairs of other countries, in which other laws for social development are in force, are hypocritical. The essence of the policy of such countries is, was, and will probably continue to be for some time to come, continuous interference in the affairs of our Union, and an endeavour to exercise from without a check to our development on socialist lines.

*Our Attitude towards Arbitration*

In the face of such an attitude towards the Soviet Union, the proposal, that we should place the settlement of vital controversial points between us and other countries in the hands of organizations or persons whom we know to be hostile to us, is ridiculous. We have given proof that we do not decline to agree to arbitration in principle, since in certain cases, such as on the question of concessions, the points in dispute are now before a Court of Arbitration. We are of opinion, however, that in the majority of cases the Court of Arbitration might be replaced by a Commission of Adjustment, and in this way the possibility be avoided of conflicts, which suddenly arise, assuming a dangerous form.

*The Soviet Union and Germany*

In addition to the countries mentioned, there are other capitalist states which have realized for some time past, or which are gradually realizing, that co-operation with the proletariat state is possible and advantageous, regardless of the peculiarities of its social policy. They have left the solution of the problem of the two social systems to time, have established normal, and at times even friendly, relations towards us, and have availed themselves of all the advantages which are at present offered by co-operation with a state of 140 million inhabitants. Germany is the most prominent example of such a state ; it has entertained relations with the Soviet Union for the past seven years, and is consolidating these. Those states which are unwilling or unable to establish such relations with us seek to destroy these friendly relations. At times their endeavours meet with temporary success, as was shown by certain hostile measures undertaken by individual Government departments in Germany and by the public in Germany, such as the action of a group of German banks in joining the International Association for the Protection of Former Creditors of Russia. This is a contravention of the Treaty of Rapallo. We cannot, of course, pass by such incidents as these unnoticed, though present relations between the states in question have not been allowed to suffer. It has been apparent, from the international tendency of the past few years, that the Powers which are determined to bring about a breach between Germany and the Soviet Union can only offer, in compensation to the German Empire, promises and assurances, the fulfilment of which cannot be reconciled with their general policy, nor with the preservation of the *status quo* created by the Versailles and other post-war treaties. This fact is beginning to be

widely realized in official circles in Germany. The mutual endeavour which is being made to extend and broaden the economic co-operation of both countries, at the same time having full regard for the political peculiarities of these countries, is apparent from the negotiations which are proceeding between the Soviet Union and Germany in Moscow.

### *Our Relations with the United States*

It is gratifying to note the rapidity with which our relations with the United States are improving. This country is perhaps the most declared exponent of the general interests of the capitalist world, and yet we must admit that up to the present we have not found that the Government of the United States has been among those which have intrigued against us. We do not forget that it was the United States which came generously to our help during our difficult years of famine, through the 'Ara' Organization, under the administration of Hoover, the future President of the United States. Although, during the years which we are considering, the United States has kept aloof from us, it is beginning to be realized that there may be attractive possibilities of utilizing to advantage the financial resources and highly developed technical attributes of America. In no other country was the prejudice against our Union so strong, nowhere were so many fairy tales and alarmist reports put into circulation as in America, and this is not to be wondered at, since at that time agitators against the Soviet Union, who were not only very liberally paid by Americans, but also by nationals of other states, and especially by counter-revolutionary emigrants, found that in America they could carry on their campaign against the Soviet Union entirely unchecked, whereas it was, and in part still is, impossible for the supporters of the Soviet to offer any opposition to this campaign, or to give to public opinion in America a true account of the position here. The change in relations which I have referred to is very largely due to the visits which are being paid, more and more frequently, by representatives of the financial, commercial, industrial, and intellectual world of America to our Union, who then have the opportunity of convincing themselves of the inaccuracy of the stories about the Soviet State, by which American opinion had been led astray for so many years. One may say, without hesitation, that 99 per cent. of the statements made by Americans who have visited our country are extremely favourable to us. But facts and figures are more convincing than these statements: exports from the United States to the Soviet Union are continually increasing, our industries

are making increased demands upon the technical strength of America, and we have exercised the most scrupulous regularity in meeting the obligations which we have taken upon ourselves. The fact must not, of course, be lost sight of, that this economic co-operation is to some extent unfavourably influenced by the lack of any legal foundation, and the lack of official relations between the Governments of both countries. When the Ministers of Great Britain cite such co-operation as this to prove that this is possible, even though no normal relations exist between the countries, this is mere sophistry. Economic relations, up to a certain point, are possible even with those countries which are extremely hostile to us. We have been trading, and are continuing to trade on a limited scale, with Great Britain even since the breach, but the bald figures of imports and exports, which the members of the British Government are obliged to publish in Parliament, are proof of the reactionary tendency which threatens in this direction. It is, therefore, not a difficult matter to foresee that, although present economic relations with the United States may be satisfactory, these might be extended to twice, three times or even greater significance, if normal diplomatic relations existed. The Ministers of Great Britain, further, affect ignorance of the difference between a case in which normal relations have not yet been established, and a case in which these have existed and have been broken off. They pretend not to notice the political antagonism which has arisen since the breach, and must, of necessity, affect economic relations.

When we speak of official relations we are not thinking of *de jure* recognition only. Hence we are not much interested, for example, in the purely legal question which is being discussed in America, of whether our signature to an international pact, together with that of the American Government, is synonymous with recognition. Such recognition as this might have been spoken of during the first few years after the revolution of October, but in the twelfth year of its existence the Soviet State no longer requires verbal individual recognition. The fact that one and the same Government has remained at the head of a people of 140 millions, in a country which covers one-sixth of the surface of the earth, for eleven years, is in itself a generally recognized fact. Any talk of recognition of the Soviet Union now is merely ridiculous. Recognition may be of importance when it creates a legal groundwork, and when it is accompanied by mutual establishment of legations and of official relations, which are absolutely necessary for the maintenance and development of political and economic relations. We have never hesitated to express our

regret at the lack of official relations with the Transatlantic Republic, with which we have no quarrel, or are likely to have in the future. These circumstances mentioned by me augur favourably for the solution of several important points which are still outstanding, if both states are prepared to get into direct touch with one another.

### *Turkey and the Soviet Union*

In dwelling upon the gratifying features of our external policy, the establishment of extremely cordial relations and close contact with Turkey must not be omitted. Nearly every day we have fresh proofs of the permanency and strength of these relations, and of the increasing desire on the part of both states to develop them still further.

### *The Soviet Union and Italy*

Our relations with Italy continue as an example of the possibility of maintaining normal and correct relations in spite of divergent social systems, and there has been practically no cause for complaint on either side, although the régime in each country is entirely different.

### *The Soviet Union and the Countries of the East*

The same may be said of our relations with our trans-oceanic neighbour, Japan. The normal commercial and economic relations which have developed between the two countries are proof of the mutual advantages accruing. The conclusion of the Fishery Convention created the necessary basis for the participation of Japanese firms in exploiting our rich supplies of fish in the Far East, in conformity with our laws and interests.

We note with regret that China is still far from freeing itself from the foreign Powers which are hostile to us. The Nanking Government is continuing to pursue the policy adopted by Chang Tso-Lin, which led to the attack upon the Soviet Embassy and the resultant breaking off of relations, and this is having a detrimental effect upon the interests of the Chinese people.

The visit last summer of the King of Afghanistan to our country served to consolidate in greater measure our relations with that country, which were already cordial. We are following with considerable interest and sympathy the progressive reforms which are being introduced in Afghanistan.

The conclusion of trade and a number of other agreements has served to open up the way for further development of amicable relations with Persia.

As I have already had the opportunity of stating in my report, our

relations with the countries of the Near East and Turkey have never been so intimate or so cordial as at present.

#### *The Baltic States and the Soviet Union*

Our relations with our Baltic neighbours, Lithuania, Estonia, Latvia, and Finland, are unchanged, except for the conclusion of a trade treaty with Latvia, which has led to a general improvement in our relations with that Republic. We cannot but take the liveliest interest in the destiny of those countries which border upon our own, especially as they occupy the most important routes between us and the West. We are watching with the greatest interest the maintenance of the complete formal and actual independence of these Republics, and we are taking care that the principle of self-determination, in its application to these, is not trespassed upon by any one, in the manner in which this is done in the Balkan States. We consider it our duty to devote the greatest attention to the fight for independence which the Lithuanian Republic is at present waging, a republic with which we still entertain the most cordial relations. We are watching developments in the Polish-Lithuanian controversy, and are in favour of amicable settlement, so far as it lies with us. The agreement which was reached at the last Conference at Königsberg on one of the points of difference, although of minor importance, permits us to hope that if the negotiations are continued they may lead to further favourable issues in regard to the other questions, provided that direct conversations are conducted by the two states, without the interference of any outside influence.

#### *Our Relations with the other Countries of Europe*

In the same way there have been no important changes of any kind in our relations with the other countries with which we entertain normal relations, namely, Austria, Sweden, Norway, Denmark, and Greece.

A supplementary agreement has been concluded with Sweden, which has created a legal basis for the work of the Trade Delegation, which, as has been practically demonstrated in a number of other countries, is absolutely necessary for the unfettered development of trade relations. Negotiations are also in progress with Greece on the subject of a trade treaty.

#### *The Soviet Union and the Capitalist World*

In the twelfth year of its existence the Soviet Union is unfortunately obliged to admit the lack of complete normal relations, or

even of relations of any kind, with a number of European countries. Among these are those which have advanced large financial claims against the Soviet Union: these claims arose as the result of revolutionary decrees. These states believe that by withholding recognition they will be able to force the settlement of their claims in a manner satisfactory to themselves. I presume that adequate time has elapsed for them to be convinced of the ineffectiveness of this measure, and to realize that, by failing to participate in a normal manner in economic relations with us and so depriving themselves of the resultant advantages, they are acting contrary to their own interests. There are also countries, which, although they have raised no claims against us, have also established no relations with us, although their own political interests should demand these.

The fact that normal, and even cordial, relations have been established with the greater number of capitalist and semi-capitalist states shows that the efforts which are being made to extend this process are not hopeless. There are no actual obstacles of any kind in the way of establishing such relations with all the other states, or improving existing relations where this appears desirable or possible. The only obstacles which exist are those invented for the purpose. We do not only proclaim that it is our policy to refrain from interfering in the internal affairs of other countries, but this is proved by our relations with Germany, Italy, and other countries, who have never had cause to complain of any overstepping of this principle on our part. Those who speak of our interference or propaganda are only creating artificial obstacles, or are using these statements as an excuse to justify their hostile attitude to the Soviet Union, which is based on an entirely different foundation, or are endeavouring to stir up internal conflicts by this means. One of these artificial or deliberately trumped up obstacles is the periodical repetition and spreading abroad of reports of our difficulties, our crises, catastrophes, insurrections, and of the approaching end of the Soviet power. Such campaigns as these serve to cloak weakness in the instigator's own country, and to divert attention from incidents such as social conflicts. Such a campaign as this is at present being conducted on rather a large scale, and our own criticisms of our position, which are made on a scale which would be quite out of the question in any other country, and our own statements which appear in our press and the speeches regarding our deficiencies and difficulties, are exploited—deficiencies and difficulties which we make no attempt to conceal, and which no Government of a capitalist state would disclose. The difficulties which we criticize ourselves are misrepresented to excess in

the foreign bourgeois press, and are exaggerated in Homeric fashion: our position is as though reflected in a distorting mirror. The experts in anti-Soviet propaganda make all possible use of these statements, although they know well enough, and are, in fact, kept very well-informed in such matters, that a bad harvest in one or other quarter of our gigantic Union, temporary shortage of grain of one kind or another, temporary difficulty in transporting grain to one district or another, do not constitute a catastrophe in our country, as we have almost inexhaustible sources to draw upon. These people are quite aware that such temporary difficulties are sometimes due to an intentional forcing of the pace of reconstruction, which leads us to sacrifice existing advantages, the more rapidly to attain to greater achievements in the future. They understand this well enough, but they play upon the ignorance and the inadequate knowledge of the facts on the part of their listeners and readers, and speak boldly of a 'toppling' structure, in order to justify their inactivity or their conduct in opposing the attempts to establish better relations with our Union.

#### *Our Struggle for Peace and for General Disarmament*

All this trickery on the part of our opponents will not induce us to depart from the course which we have pursued for the past twelve years, in the certainty of achieving our end. All desire for conquest, all idea of aggression is foreign to us. We have no intention of attacking any one, but will continue as we have done hitherto, and even with greater zeal, to fight for peace and general disarmament. We do not pursue such a policy of peace because we look upon our position as weak, or for the sake of sentimental pacifism, but because this policy is natural to the Soviet theory, because it will tend to further reconstruction and because it will benefit the large, working masses of the whole world. Our original proposals for disarmament or partial reduction of armaments have, however, been shelved for the present, and therefore we cannot reduce our powers of defence in the face of the capitalist countries, which are armed to the teeth, and are continuing to arm and improve their instruments of war by means of their highly developed technical abilities. We will not do this: but should it occur to any one, believing the fairy tales of our alleged weakness and our difficulties, to attack us, the Red Army will justify its well-earned reputation as a fighting unit, and such a conflict as will then ensue may well become the 'last and decisive battle'.

## C. AMERICA

### I. U.S.A.

#### 1. NOTE

IN the winter of 1927–8 the Government of the United States initiated negotiations with European and Asiatic countries for the conclusion of arbitration treaties to replace the Root Treaties of 1908. The treaty with France was the first to be signed, but by the end of 1928 negotiations were in progress with some thirty states, of which eight had definitely signed treaties.

The new Kellogg Treaties were of greater scope than those negotiated by Mr. Root, and were conceived in the spirit of M. Briand's original offer to Mr. Kellogg of June 1927. The treaty with France was the first diplomatic instrument to contain the phrase 'condemning war as an instrument of national policy'. The main difference between the Root and Kellogg treaties is in the nature of the subjects which are 'reserved'.

The Root treaties stipulated that 'they do not affect the vital interests, the independence or the honour of the two contracting states, and do not concern the interests of third parties'. Under the Kellogg treaties, the last of these reservations is retained, but the remainder are dropped and replaced by others dealing with domestic affairs, the Monroe Doctrine, and obligations of States Members of the League of Nations, though this latter would of course not occur in treaties with countries who were not members.

An exchange of Notes attached to the treaties declare that the new Kellogg Treaties in no way invalidate the Bryan Treaties of 1914.

#### 2. ARBITRATION TREATY BETWEEN THE UNITED STATES AND FRANCE, SIGNED AT WASHINGTON, ON FEBRUARY 6, 1928<sup>1</sup>

The President of the United States of America and the President of the French Republic, determined to prevent as far as in their power lies any interruption in the peaceful relations that have happily existed between the two countries for more than a century, desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them, and eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated for ever the possibility of war among any of the Powers of the world;

Taking into consideration the treaty signed at Washington on

<sup>1</sup> Official text as issued by the United States Department of State.

September 15, 1914, to facilitate the settlement of disputes between France and the United States of America;

Have decided to conclude a new treaty of arbitration enlarging the scope of the arbitration convention signed at Washington on February 10, 1908, which expires by limitation on February 27, 1928, and contributing to the advancement of the cause of arbitration, and for that purpose they have appointed as their respective plenipotentiaries, etc. . . . who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles.

#### Article 1

Any dispute[s] arising between the Government of the United States of America and the Government of the French Republic of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to adjudication by a competent tribunal, be submitted for investigation and report as prescribed in the treaty signed at Washington September 15, 1914, to the Permanent International Commission constituted pursuant thereto.

#### Article 2

All differences relating to international matters, in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other, under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the above-mentioned Permanent International Commission and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at the Hague by the convention signed October 18, 1907, or to some other competent tribunal as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal, if necessary define its powers, state the question or questions at issue and settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America, by and with the advice and consent of the Senate thereof, and on the part of France in accordance with the constitutional laws of France.

#### Article 3

The provisions of this Treaty shall not be invoked in respect of any dispute the subject matter of which:

- (a) Is within the domestic jurisdiction of either of the High Contracting Parties;
- (b) Involves the interests of third parties;
- (c) Depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine;
- (d) Depends upon or involves the observance of the obligations of France in accordance with the Covenant of the League of Nations.

#### Article 4

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the French Republic in accordance with its constitutional laws. The ratifications of the treaty shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of exchange of the ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith thereof the respective plenipotentiaries have signed this treaty in two copies, one in English and the other in French, both texts being equally authentic, and hereunto affixed their seals.

Done at Washington the sixth day of February in the year of Our Lord one thousand nine hundred and twenty-eight.

### II. SIXTH PAN-AMERICAN CONFERENCE, HABANA, JANUARY 16—FEBRUARY 20, 1928

#### 1. RESOLUTION CONCERNING ARBITRATION AND THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES<sup>1</sup>

The Sixth International Conference of American States resolves:

Whereas: The American Republics desire to express that they condemn war as an instrument of national policy in their mutual relations; and

Whereas: The American Republics have the most fervent desire to contribute in every possible manner to the development of international means for the pacific settlement of conflicts between States:

1. That the American Republics adopt obligatory arbitration as the means which they will employ for the pacific solution of their international differences of a juridical character.

<sup>1</sup> Official text issued by the Pan-American Union.

2. That the American Republics will meet in Washington within the period of one year in a conference of conciliation and arbitration to give conventional form to the realization of this principle, with the minimum exceptions which they may consider indispensable to safeguard the independence and sovereignty of the States, as well as matters of a domestic concern, and to the exclusion also of matters involving the interest or referring to the action of a State not a party to the convention.

3. That the Governments of the American Republics will send for this end plenipotentiary jurisconsults with instructions regarding the maximum and the minimum which they would accept in the extension of obligatory arbitral jurisdiction.

4. That the convention or conventions of conciliation and arbitration which may be concluded should leave open a protocol for progressive arbitration, which would permit the development of this beneficent institution up to its maximum.

5. That the convention or conventions which may be agreed upon, after signature, should be submitted immediately to the respective Governments for their ratification in the shortest possible time.

(February 18, 1928.)

## 2. RESOLUTION CONCERNING THE OUTLAWRY OF WAR<sup>1</sup>

The Sixth International Conference of American States:

Considering:

That the American nations should always be inspired in solid co-operation for justice and the general good:

That nothing is so opposed to this co-operation as the use of violence:

That there is no international controversy, however serious it may be, which cannot be peacefully arranged if the parties desire in reality to arrive at a pacific settlement:

That war of aggression constitutes an international crime against the human species:

Resolves:

1. All aggression is considered illicit and as such is declared prohibited.

2. The American States will employ all pacific means to settle conflicts which may arise between them.

(February 18, 1928.)

<sup>1</sup> Official text issued by the Pan-American Union.

### 3. RESOLUTION CONCERNING THE ORGANIZATION OF THE PAN-AMERICAN UNION<sup>1</sup>

The Sixth International Conference of American States resolves:

That the Pan-American Union continue to be governed by the resolutions in force, until the States members of the Union resolve otherwise, with the following modifications:

1. The government of the Pan-American Union shall be vested in a Governing Board composed of the representatives that the American Governments may appoint. The appointment may devolve upon the diplomatic representatives of the respective countries at Washington.

2. The Director General shall appoint, with the approval of the Governing Board, the personnel necessary to the work of the Pan-American Union, endeavouring as far as possible to distribute the positions among the nationals of the countries members of the Union.

3. Neither the Governing Board nor the Pan-American Union shall exercise functions of a political character.

4. The Governing Board of the Pan-American Union shall prepare the regulations and fix the status of the members of the staff, determining their salaries and conditions of retirement.

5. The States members of the Union may withdraw from the Union at any time, but shall pay their respective quotas for the period of the current fiscal year.

(February 18, 1928.)

### 4. SUMMARY OF THE WORK OF THE CONFERENCE<sup>2</sup>

The following is the text, in part, of the summary of the conference, prepared by the American delegation and made public by the U.S. Dept. of State.

Committee I, Pan-American Union, approved a resolution<sup>3</sup> and a project of convention on Pan-American Union.

Committee II, Public International Law. One of the most important projects approved by this Committee was the resolution condemning war as an instrument of national policy, and calling a conference in Washington within a year to draft treaties for obligatory arbitration, and also treaties for conciliation.<sup>4</sup>

Committee III, Private International Law. This delegation refrained from voting. The committee adopted resolutions as follows: Recommends adoption of uniform laws on bills of exchange and other credit instruments based on the Hague rules of 1912; recommends an inter-American commission for the study of the civil and political equality of women; recom-

<sup>1</sup> Official text issued by the Pan-American Union.

<sup>2</sup> Reprinted from the *Bulletin of International News*, vol. iv, No. 20, March 31, 1928.

<sup>3</sup> See above.

<sup>4</sup> See *supra*, pp. 193-4.

mends commercial arbitration as set forth by Fifth Conference; recommends strict legislation to facilitate organization of stock companies and provides for continuation of the commission of jurists of Rio de Janeiro.

Committee IV, Communications. This committee adopted a convention on commercial aviation, and resolutions as follows: The holding of a congress on roads next July at Rio de Janeiro; recommends to the States that signed the Electrical Communications Convention of Mexico and the Radio Telegraphy Convention at Washington consideration and ratification of them by the respective Governments; recommends that the Pan-American Union call an expert committee to study the establishment of additional steamship facilities between American States, and the elimination of unnecessary port formalities; recommends the study of the rivers of the Americas with a view to their navigability; recommends to the States, which have not done so, to complete a Pan-American railway along the Andean route, and expresses gratitude to the Pan-American Railway Commission in Washington; recommends construction of an inter-American highway; recommends to the next road conference the study of a longitudinal highway.

Committee V, Intellectual Co-operation, approved projects as follows: Urges periodic conferences of journalists with certain recommendations, and adds another resolution giving additional recommendations for this agenda by Mexican delegation; urges publication of geodetic, geological and agricultural maps; urges interchange of professors and students, establishment of scholarships, establishment of special chairs for the study of Spanish, English and Portuguese, and establishment of special departments for the study of commercial legislation in the American republics; urges that technical study be given to the matters on the agenda of future conferences dealing with treaties; urges instruction in financial and economic subjects in American States.

Two conventions were also adopted by this Committee: (1) The modification of the present copyright convention; (2) The establishment of a geographic institute.

Committee VI, Economic Problems, approved projects as follows: Conclusions of the Pan-American Commission on Consular procedure, and recommends a second meeting thereof; recommends that Pan-American Commercial Conference shall devote special study to developing relations among commercial organizations of American States (Chambers of Commerce); abstains from complete study of immigration in view of approaching conference on this subject, but states certain principles, the American delegation making reservation that 'immigration is a matter of purely domestic concern'. Two resolutions urging the continued study of the decimal metric system, a resolution recommending continental agricultural co-operation and the holding of a conference on this subject, and a resolution recommending the study of a common American currency.

Committee VII, Social Problems, adopted resolutions as follows:

1. Recommends ratification of the Pan-American sanitary code by those countries that have not yet ratified.

2. The formation of capable sanitary personnel through (A) training in special schools, and (B) the formation of a professional sanitary organization whose officers will be entitled to promotion on merit, fixed tenure of office and retirement on pension.

3. Requests that Governments send technical advisers to future conferences.
4. When specialized sanitary personnel are created, a corps of graduated and registered public health visiting nurses should be included and unqualified personnel should not be employed.
5. Recommends establishment of interchanges of specialists in public health between countries.
6. Takes note of the conclusions of the First Pan-American Conference on Eugenics and Homoculture, and recommends that the various countries study and apply such portions as they may deem convenient.
7. Recommends that an official representative of the Pan-American Sanitary Bureau attend future conferences of public health representatives.
8. Calls attention to importance of work performed by the Pan-American Red Cross.
9. Expresses pleasure at results obtained from Pan-American Red Cross Conferences of 1923 and 1926 and recommends that American Governments lend their aid to the third Pan-American Red Cross Conference to be held in Rio de Janeiro.
10. Recommends that the Pan-American Union continue to co-operate with the Red Cross in America.

In addition to the above projects there were adopted at plenary sessions resolutions as follows: recommending the improvement of the standard of living of labourers, and the inclusion of this subject on the agenda of the next conference, recommending laws for compulsory leave of absence for women forty days before and after childbirth, and certain memorial resolutions.

It was decided that the next Pan-American Conference should meet at Monte Video, probably in 1933.

## D. ASIA

### NEAR AND MIDDLE EAST

#### I. THE SOVIET AND TURKISH SYSTEM OF TREATIES OF NEUTRALITY AND NON-AGGRESSION

##### 1. THE SOVIET-TURKISH TREATY, DECEMBER 17, 1925<sup>1</sup>

THE Government of the Union of Socialist Soviet Republics and the Government of the Turkish Republic, recognizing that the interests of the two Contracting Parties require definition in exact terms tending to the strengthening of stable and normal relations between them and the friendship uniting them, have appointed in view of this George Chicherin, the Commissar for Foreign Affairs of the U.S.S.R., and Tewfik Rushdi Bey, Minister of Foreign Affairs of the Turkish Republic, who have agreed on the following points:

###### Article 1

In the event of military action directed against either of the Contracting Parties on the part of one or several other countries, the other Contracting Party undertakes to remain neutral in relation to the first.

Note. The expression 'military action' does not apply to military manœuvres, which do not occasion any losses to the other party.

###### Article 2

Each Contracting Party undertakes to refrain from any attack against the other Party, and not to participate in any alliance or agreement of a political character with one or more third Powers directed against the other Contracting Party. Moreover, each Contracting Party undertakes not to participate in any hostile act on the part of one or several Powers against the other Contracting Party.

###### Article 3

The present agreement will enter into effect immediately after its ratification and will remain in force for a term of three years. At the end of three years the present agreement shall automatically be pro-

<sup>1</sup> Translation reprinted from a special supplement to the *Bulletin of International News*, vol. II, No. 1, Jan. 11, 1926.

longed annually if neither Contracting Party expresses, six months before the expiry, its desire to declare it void.

Signed in Paris, December 17, 1925

Signatures: CHICHERIN  
T. RUSHDI

## 2. NOTE

This treaty was originally negotiated by the Soviet Government, partly in order to take advantage of the dispute between Great Britain and Turkey over the possession of the Mosul vilayet, and partly as a counter-blast to the negotiations then in progress among the Western Powers, which ultimately resulted in the Locarno Agreement.

Subsequently, both the Soviet and Turkish Governments concluded treaties on this model, though with certain expansions and improvements (such as the addition of a qualification making neutrality binding only if the other party is the victim of an unprovoked attack), with their respective neighbour States, who adopted the system among themselves. In this way the greater part of the Near East is covered by a network of treaties based upon the Soviet-Turkish model, viz.:

U.S.S.R. and Germany	April 24, 1926.
U.S.S.R. and Lithuania	September 28, 1926.
U.S.S.R. and Afghanistan	August 31, 1926.
U.S.S.R. and Persia	October 1, 1927.
Turkey and Persia (Supplementary Protocol)	April 22, 1926. June 15, 1928.
Turkey and Afghanistan	May 25, 1928.
Persia and Afghanistan (Supplementary Protocol)	November 28, 1927. June 15, 1928.

During the summer and autumn of 1926, the Soviet Government attempted to extend the system to the remainder of her Western neighbours and opened negotiations with the Polish, Finnish, Estonian, and Latvian Governments. Though these negotiations have never been actually broken off, there has been no tangible result. Treaties of Non-Aggression and Neutrality were also offered to France and Rumania but were definitely refused.

For a more detailed study of the subject, see *Information on the Problem of Security*, by J. W. Wheeler-Bennett and F. E. Langermann (Allen & Unwin, 1927), pp. 163–83, and also an article in the *Bulletin of International News* (vol. iv, No. 25, June 5, 1928), entitled ‘The Soviet System of Neutrality and Non-Aggression’, and the accompanying analysis.

## II. PERSIA

### 1. SYSTEM OF TREATIES ABOLISHING THE CAPITULATIONS AND ESTABLISHING TARIFF AUTONOMY

(i) *Circular to Foreign Legations at Teheran, May 10, 1927.*<sup>1</sup>

Sir,

As Your Excellency knows, His Imperial Majesty, my August Sovereign, has just taken the high decision to annul the consular jurisdictions and the privileges, generally designated under the term of 'capitulations', which foreign nationals enjoy in Persia.

Your Excellency is not unaware that the important changes which have taken place in the situation of this country and in public opinion render the execution of this intention indispensable. The Persian Government has, on the other hand, always respected the treaties and undertakings which it has contracted freely and without constraint; it has refrained, so far as it has been able, from violating them.

Accordingly, I have the honour to inform Your Excellency that my Government denounces the treaty concluded on . . . between Persia and . . . in virtue of article . . . of this treaty; it will be very pleased to learn that the Government of Your Excellency will be disposed to conclude, within one year beginning to-day, during which period the present agreement will remain in force, a new treaty, in order that on May 10, 1928, when the actual agreement will become null and void, the relations of good understanding between our two countries and nations may not be interrupted.

Pray accept, &c. . . .

(ii) *Tariff Treaty between Great Britain and Persia. May 10, 1928.*

His Imperial Majesty the Shah of Persia and His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India;

Desiring to facilitate and extend still further the trade and commerce of their respective countries, and to regulate by means of a further treaty the commercial relations between Persia, on the one

<sup>1</sup> On the same date two Notes were addressed to the French Legation, which was also charged with Spanish interests, concerning the French and Spanish treaties. The Persian Government declared these treaties as denounced in spite of the fact that, unlike those with other Powers, they had been concluded in perpetuity. The Persian Government, not wishing 'to treat France and Spain less favourably than the other Powers', agreed to prolong the duration of the treaties for a period of one year at which date (May 10, 1928) it, together with all other similar treaties, would become void.

side, and Great Britain and Northern Ireland, India and such other territories under the sovereignty, protection and authority of His Britannic Majesty as he may desire should be bound, on the other side;

Have resolved to conclude a treaty for this purpose and have appointed as their Plenipotentiaries;

His Imperial Majesty the Shah of Persia: His Excellency Mirza Fatoullah Khan Pakrevan, Acting Minister for Foreign Affairs;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, Sir Robert Henry Clive, K.C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Teheran;

For India, Sir Robert Henry Clive, K.C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Teheran;

Who, having communicated their full powers, found in good and due form, have agreed as follows:

### Article 1

His Britannic Majesty, realizing the importance to Persia of full autonomy in all matters relating to customs duties, and being willing, in view of the relations of friendship between the Governments of the High Contracting Parties, to facilitate the realization of the Shah of Persia's wishes in this respect, agrees to the abrogation of all provisions of the existing treaties between the High Contracting Parties, which limit in any way the right of Persia to settle the Persian customs tariff in full autonomy.

### Article 2

For the duration of the present treaty, and subject to complete reciprocity, goods, produced or manufactured in any part of His Britannic Majesty's territories to which the present treaty applies, shall not be subjected on entry into Persia to any customs duty, coefficient, surtax or import tax whatsoever, other or higher than the minimum duties, coefficients, surtaxes or import taxes levied on similar goods imported from any foreign country whatever.

In like manner, for the duration of the present treaty, and subject to complete reciprocity, goods, produced or manufactured in any part of the Persian Empire and exported to any part of the territories of His Britannic Majesty to which this treaty applies, shall not, on leaving Persia, be subjected to any customs duty, coefficient, surtax or export tax whatsoever, other or higher than the minimum duties,

coefficients, surtaxes or export taxes levied on similar goods exported to any foreign country whatever.

Persia, having in virtue of her tariff autonomy established a single legal tariff (prescribing maximum and minimum rates) to be enforced on all her frontiers, and to be applied for a fixed period to those countries with which she has bound herself by a treaty or convention, agrees that goods, produced or manufactured in any part of His Britannic Majesty's territories to which this treaty applies, shall, for the duration of the present treaty, enjoy the benefit, on their entry into Persia, of the minimum rates of the Persian autonomous tariff in force.

His Britannic Majesty agrees for his part that goods produced or manufactured in Persia shall benefit, on their entry into any part of his territories to which this treaty applies, by the minimum tariff in force accorded at any time to the most favoured nation.

It is understood that, if at any time during the period during which this treaty is in force Persia elects to reduce on any of her frontiers one or more of the minimum rates of this tariff, such reductions will be automatically applied to the goods produced or manufactured in the territories of His Britannic Majesty to which this treaty applies, by whatever frontier they are imported.

### Article 3

Goods, produced or manufactured in the territories to which this treaty applies belonging to one of the High Contracting Parties, and regularly imported into the territories to which this treaty applies belonging to the other High Contracting Party, shall on no account be subjected, after duly paying the duties and charges laid down by the laws of the country as being applicable upon entry to goods of foreign origin, to any internal taxation or import taxes other than those imposed on similar articles of local origin or imported from any foreign country whatever.

### Article 4

His Majesty the Shah of Persia, and His Britannic Majesty so far as concerns his territories to which this treaty applies, being each desirous of encouraging liberty of commerce and avoiding the hindrance of their mutual commercial relations by prohibitions or restrictions on imports and exports, agree that they will not introduce any restrictive or prohibitive measures against products of the territories of the other, with the exception of the following classes of prohibitions and restrictions which will not be prohibited on con-

dition, however, that they are not applied in such manner as to constitute a means of arbitrary discrimination between, or a disguised restriction on, international trade:

1. Prohibitions or restrictions relating to public security;
2. Prohibitions or restrictions imposed on moral or humanitarian grounds;
3. Prohibitions or restrictions regarding traffic in arms, ammunitions, and implements of war, or, in exceptional circumstances, all other military supplies;
4. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects, and harmful parasites;
5. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historical, or archaeological value;
6. Prohibitions or restrictions applicable to gold, silver, coin, currency notes, bank notes or securities;
7. Prohibitions or restrictions designed to extend to foreign products the régime established within the country in respect of the production or trade in, and transport and consumption of, native products of the same kind;
8. Prohibitions or restrictions applied to products which, as regards production or trade, are or may in future be subject within the country to State monopoly or to monopolies exercised under State control.

Moreover, nothing shall affect the right of either of the High Contracting Parties to adopt measures prohibiting or restricting importation or exportation for the purpose of protecting, in extraordinary and abnormal circumstances, the vital interests of the country.

Should measures of this character be adopted, they shall be applied in such a manner as not to lead to any arbitrary discrimination against the other High Contracting Party. The duration shall be restricted to that of the causes or circumstances from which they arise.

Nevertheless, it is agreed between the two High Contracting Parties that the provisions of this article shall not be involved in regard to any prohibition or restriction on importation or exportation which is not contrary to the provisions of the international Convention for the abolition of prohibitions and restrictions on importation and exportation signed at Geneva on November 8th, 1927.

#### Article 5

The value to be declared for the calculation of customs duties on importation into Persia, in cases in which the tariff prescribed *ad*

*valorem* duties, shall be equal to the market price of the goods in question in their place of origin or manufacture, increased by expenses of packing, sale, insurance, commission and transport, as well as of other necessary expenses for the importation of the goods to Persian frontiers. This value cannot be in any case inferior to the wholesale price of similar goods in the place of importation and at the moment of importation, deduction being made of 10 per cent., as well as of a sum corresponding to the duties and charges which products of that kind pay on entry. When the value of the goods is originally expressed in foreign money, this will be converted into the money of the country into which the goods are imported, in accordance with the most recent rate of exchange followed by the local banks before the deposit of the declaration with the customs.

#### Article 6

The present treaty shall be ratified and the ratifications shall be exchanged at Teheran as soon as possible. It shall come into force immediately upon ratification and shall be binding during eight years from the date of its coming into force.

In case neither of the two High Contracting Parties shall have given notice to the other, six months before the expiration of the said period of eight years, of its intention to terminate the present treaty, it shall remain in force until the expiration of six months from the date on which either of the two High Contracting Parties shall have denounced it.

The present treaty has been drawn up in Persian and in English pending the preparation of the French text, on which the two High Contracting Parties will agree as soon as possible and which will be authoritative.

In witness whereof, the respective Plenipotentiaries have signed the present treaty and affixed thereunto their seals.

Done at Teheran, the 10th day of May, 1928.

F. PAKREVAN.

R. H. CLIVE.

#### *Protocol Annexed to Article 2*

It is agreed that by the minimum tariff rates in force are meant the minimum tariff rates approved by the Law of Mejdliss of May 3, 1928 (13th Ordibehesht, 1307).

But if the rates in force on the date of the signature of this treaty as granted to the most favoured nation are subsequently increased on the chief Persian articles of export, with the exception of mineral

oil and its products, to the territory of His Britannic Majesty to which this treaty applies, Persia has the right to increase her minimum tariff on the principal articles from the territory or territories concerned.

At the same time it is agreed that the amount of duty resulting from such increase in the Persian minimum tariff shall not exceed the amount of duty resulting from the change in the tariff of the territory or the territories concerned.

In witness of which, the respective Plenipotentiaries have affixed their signatures thereto.

Done at Teheran, this 10th day of May, 1928.

F. PAKREVAN.  
R. H. CLIVE.

(iii) *Note respecting the Position of British Nationals in Persia, May 10, 1928.*

In reply to inquiries addressed to them on the subject, and on the eve of the realization of their resolution to abolish on the 10th May the régime known by the name of the capitulatory régime, the Imperial Persian Government, animated by the wish to dispel possible anxiety on the part of foreign nationals resident in Persia by reason of the novelty of the régime which shall henceforth be applied to them, and desirous of keeping your nationals informed through you of the measures taken by Persian legislation and the Persian Government on their behalf, send you the accompanying decision in order that you may transmit its content to your nationals.

It is unnecessary to inform you that the Persian Government themselves, whose interest and desire it is to obtain for Persian citizens as many guarantees as possible, and with this object in view to establish a judicial system the working of which shall be as nearly perfect as possible, have accomplished very appreciable reforms as to the judicial personnel and the laws of Persia.

Apart from a knowledge of the laws which are known to everybody, a knowledge of law equivalent to that required for a legal diploma is at present an essential condition for any one entering upon a judicial career.

As for the situation of British nationals in Persia resulting from this decision, the following measures taken by the Persian Government will be applied to them as from the 10th May 1928:

1. On the basis of perfect reciprocity, they will be admitted and treated on Persian territory in conformity with the rules and practice of international law, will enjoy the fullest protection of the laws and

the authorities of the country and will benefit by the same treatment as nationals.

2. In all civil or commercial cases in which one of the parties is a foreigner, only written evidence will be admitted.

In all proceedings, even criminal proceedings, the judgements shall be reduced to writing and will contain the considerations of law and of fact on which they are founded.

Those interested in the proceedings shall have the right to obtain a copy of the evidence and of the judgement, on condition of paying the legal charges.

In criminal matters, oral testimony being a normal method of proof, the interests of the accused will be safeguarded, as at present, by the article in the Criminal Code dealing with perjury.

3. To the exclusion of all other jurisdiction, only the courts and tribunals subordinate to the Ministry of Justice will be competent to deal with cases in which one of the parties is a foreigner.

Only the criminal tribunals subordinate to the Ministry of Justice shall, generally speaking, be able to pronounce a sentence of imprisonment on foreigners.

Nevertheless, in the event of the proclamation of martial law, when a case is brought before a special tribunal which has been established, that tribunal shall be able to take cognizance of cases in which a foreigner is concerned.

Moreover, in fiscal matters, and in general in a dispute between an administration and a foreigner relating to a purely administrative matter, the administrative tribunals will retain their competence.

4. Foreigners shall in every case be tried only by 'lay' (non-religious) tribunals, and lay laws alone will be applicable to them.

5. The ordinary police courts shall only be competent in matters of slight importance and involving only a small fine.

According to the law, the police courts cannot sentence to more than one week's imprisonment.

They can only pronounce sentences of imprisonment in cases where the accused himself requests that the fine imposed on him shall be converted into imprisonment. It is clearly understood that they will never sentence foreign nationals to corporal punishment.

6. A foreigner arrested while actually engaged in committing a crime shall not be kept in prison for more than twenty-four hours without being brought before the competent judicial authority.

Unless actually committing some crime, no foreigner will be arrested or imprisoned without a warrant emanating from the competent judicial authority.

The private or business premises of a foreigner shall not be forcibly entered or searched without a warrant from the competent judicial authority, with a guarantee against abuses to be determined later.

7. Foreigners arrested and imprisoned shall have the right, in conforming with prison regulations, to communicate with their nearest consul, and the consuls or their representatives shall have, in conformity with prison regulations, permission to visit them.

The governmental authorities shall at once transmit to their destination such requests to communicate with them.

8. The Imperial Government has taken into consideration the making of generous provisions for release on bail, which shall be compulsory in all cases except cases of crime as it is defined in the Penal Code.

The sum demanded as bail shall be reasonably proportioned to the nature of the offence.

In cases of appeal, the same facilities of bail as those mentioned above shall be given until judgement has been pronounced.

9. According to Persian law, trials are, in general, and save in exceptional cases, held in public, and those interested in the cases and in the parties to the cases have therefore the right to be present, save in exceptional cases, as spectators, without, however, any right to take part in the proceedings.

10. In criminal matters, the accused is absolutely free to choose his counsel, who can be chosen even from his compatriots.

11. The Imperial Government has decided to reform prison conditions in order that these may conform to a greater extent to modern custom, and a sum sufficient to provide a prison at Teheran, which shall fulfil the necessary hygienic conditions, has already been voted.

Pending the provision of other prisons, foreigners who have been condemned to imprisonment for more than one month—imprisonment for one month or less being convertible into a fine—shall be transferred at their request to a prison fulfilling the necessary hygienic conditions.

12. Whereas Persian subjects enjoy in the British Empire most-favoured-nation treatment in questions of personal status, it is understood that in matters of personal status, i. e. all questions relating to marriage, conjugal rights, divorce, judicial separation, dower, paternity, affiliation, adoption, capacity, majority, guardianship, trusteeship and interdiction; in matters relating to succession to personality, whether by will or on intestacy, and the distribution and winding up of estates, and family law in general, it is agreed between Persia and Great Britain that, as regards non-Moslem British

nationals in Persia, their national tribunals will alone have jurisdiction. As regards British Moslem subjects, Moslem religious law in conformity with the Persian code will be applied to them in matters of personal status until the question is definitely settled.

The present stipulation does not affect the special attributions of consuls in matters of status in accordance with international law, or special agreements which may be concluded, nor the right of Persian courts to request and receive evidence respecting matters acknowledged above as being within the competence of the national tribunals or authorities of the parties concerned.

By way of exception to the first paragraph of this Article, the Persian courts will also have jurisdiction in the matters referred to therein, if all the parties to the case submit in writing to the jurisdiction of the said courts. In such case the Persian courts will apply the national law of the parties.

13. In matters of taxation, foreign nationals shall be treated on a footing of equality with Persian subjects and shall not be compelled to pay, under any pretext whatever, imposts, taxation or any other fiscal dues which Persian subjects are not compelled to pay.

14. In judicial matters all judgements given by the former tribunals, even if they have not been put into execution, shall be considered as definitely settled, and in no case be reopened; in the same way every final judgement given by the former tribunals is recognized as one to be put into execution. Generally speaking, all cases concluded under the former judicial régime are considered as definitely settled and shall in no case be reopened.

Cases not finished in the tribunal of the Ministry for Foreign Affairs and in the courts of provincial Governors shall be finished before these tribunals, unless a foreign national requests, before the end of the discussions, to transfer the proceedings to the Court of Justice.

The period allowed by the Imperial Government for finishing cases unfinished by those tribunals is at the latest until May 10, 1929.

15. All questions relating to security for costs, execution of judgement, service of judicial and extra-judicial documents, commissions, rogatories, orders for the payment of costs and expenses, free judicial assistance and imprisonment for debt, are left to be regulated by separate conventions to be concluded between Persia and Great Britain.

16. Seeing that in civil or commercial matters Persian law allows arbitration and clauses in agreements providing therefor, and since arbitral decisions rendered in pursuance thereof shall be executed on order of the President of the Court of first instance, who is obliged to

issue that order unless the decision should be contrary to public order, it is clear that foreign nationals will be in complete enjoyment of this legal arrangement.

17. As regards immovable property, it is understood that British subjects are permitted as in the past to acquire, occupy, or possess such property on Persian soil as is necessary for their dwelling and for the exercise of their commerce and industry.

18. British subjects cannot be arrested or suffer restraint in their individual liberty in order that civil claims of a pecuniary nature against them may be provisionally safe, except where there would seem to be a serious risk that constraint to be made owing to any act on the part of a debtor, upon that debtor's possessions which are actually in Persia, would not be effective and could not otherwise be assured.

(iv) *Note.*

Similar treaties were negotiated by Persia with France (May 10, 1928)<sup>1</sup>, Belgium (May 15), Austria (June 17), Czechoslovakia (June 17), the Netherlands (June 21), Italy (June 29), and Sweden (August 9).

Agreements with the Governments of the United States and Germany took the form of unilateral declarations presented to the American and German legations on May 14 and 15 respectively. In the case of Germany, the Persian Government agreed to give them the benefit of its minimum tariff and of all eventual reductions in tariff rates without the condition of reciprocity which is stipulated in the other agreements. Definite treaties of friendship, commerce, customs, and navigation, and a convention regarding rights of nationals were signed on February 17, 1929.

**2. TRAITÉ D'AMITIÉ ET D'ÉTABLISSEMENT ENTRE LE ROYAUME  
D'ÉGYPTE ET L'EMPIRE DE PERSE, 28 NOVEMBRE 1928**

*Sa Majesté le Roi d'Égypte et Sa Majesté Impériale le Schah de Perse : Également animés du désir sincère de fortifier encore davantage l'amitié existant entre leurs deux États se sont résolus, en attendant la conclusion de conventions consulaires, douanières et commerciales, à conclure un Traité tendant à consacrer les modalités de leurs relations amicales et ont, à cet effet, désigné comme leurs Plénipotentiaires,*

D'une part, *Sa Majesté le Roi d'Égypte,*

*Son Excellence HASSAN NACHÂT PACHA, Son Envoyé Extra-ordinaire et Ministre Plénipotentiaire à Téhéran,*

D'autre part, *Sa Majesté Impériale le Schah de Perse,*

<sup>1</sup> The French treaty was of a provisional nature and was only negotiated for the period of one year.

Son Excellence FATHOULLAH KHAN PAKRAVAN, gérant de Son Ministère des Affaires Etrangères, lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

### Article 1

Il y aura paix durable et amitié profonde entre le Royaume d'Egypte et l'Empire de Perse, ainsi qu'entre les citoyens des deux États.

### Article 2

Les représentants diplomatiques de chacune des Hautes Parties Contractantes ainsi que tout le personnel de leur mission faisant partie du Corps diplomatique jouiront à charge de réciprocité sur le territoire de l'autre Partie, des mêmes priviléges, honneurs et immunités que les représentants et agents diplomatiques des autres Puissances.

### Article 3

Chacune des Hautes Parties Contractantes aura le droit de nommer auprès de l'autre État des consuls généraux, consuls et vice-consuls de carrière, qui résideront, soit dans la capitale, soit dans les principales villes, où de pareils agents étrangers sont généralement admis à résider.

Chacune des Hautes Parties Contractantes aura, en outre, après avoir obtenu au préalable l'agrément de l'autre pays, le droit de nommer en dehors des fonctionnaires de carrière des consuls, vice-consuls ou agents consulaires honoraires, qui résideront dans les susdites villes et qui ne pourront en aucun cas être choisis parmi les ressortissants de l'État où ils résident.

Les agents des deux catégories, régulièrement munis de l'exequatur, jouiront respectivement, sous condition d'une parfaite réciprocité, des priviléges honorifiques et immunités consacrés par le droit commun international.

### Article 4

Les ressortissants de chacune des Hautes Parties Contractantes auront entière liberté d'accès et d'établissement sur le territoire de l'autre Partie. Ils pourront en conséquence y aller, venir et circuler librement, y séjourner et s'y établir, en se conformant aux lois et règlements en vigueur dans le pays.

Ils jouiront, à l'égal des nationaux, de la plus constante protection et sécurité quant à leurs personnes, biens, droits et intérêts, conformément au droit commun international.

La présente disposition ne fait pas obstacle au droit d'expulsion exercé par mesure individuelle suivant les règles et la pratique du droit commun international.

### Article 5

Les ressortissants de chacune des Hautes Parties Contractantes auront le droit d'exercer sur le territoire de l'autre Partie toute espèce d'industrie ou de commerce, ainsi que tous métiers ou professions quelconques, qui ne sont pas réservés par les lois du pays aux seuls nationaux à l'exclusion de tous autres étrangers, ou qui ne sont pas l'objet d'un monopole d'État ou d'un monopole concédé par l'État.

Ils auront le droit, en se conformant aux lois et règlements en vigueur dans le pays de leur résidence, d'y acquérir des biens meubles et immeubles, de les posséder et d'en disposer le tout dans les mêmes conditions que les ressortissants de la nation la plus favorisée. Ils ne pourront, à l'égal des nationaux, être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens, que pour cause légalement reconnue d'utilité publique, et moyennant indemnité.

### Article 6

Les ressortissants de chacune des Hautes Parties Contractantes sur le territoire de l'autre seront soumis, dans les mêmes conditions que les nationaux, à la législation territoriale: lois, décrets, arrêtés et règlements, en matières criminelles, civiles, commerciales, administratives, fiscales ou autres ainsi qu'aux juridictions réservées aux nationaux.

En matière de Statut personnel, celles des dites juridictions légalement compétentes appliqueront, d'après les règles du droit international, la législation nationale des parties, dans le cas où elles seraient saisies par l'une des parties en litige.

Les dispositions qui précèdent ne portent pas atteinte aux attributions généralement reconnues aux consuls par les usages internationaux en matière d'état civil ainsi qu'à leur droit de juridiction gracieuse.

### Article 7

Les ressortissants de chacune des Hautes Parties Contractantes seront exemptés sur le territoire de l'autre Partie de toute obligation personnelle, corvée ou prestation d'ordre militaire, ainsi que de tous dons nationaux, emprunts forcés et contributions exceptionnelles imposées par des besoins militaires.

**Article 8**

Les deux Hautes Parties Contractantes sont d'accord pour conclure dans le plus bref délai des conventions consulaire, douanière et commerciale, basées sur la parfaite égalité des droits entre les deux pays.

**Article 9**

Le présent traité restera en vigueur pour une durée de cinq ans. S'il n'est pas dénoncé par l'une ou l'autre des Hautes Parties Contractantes six mois avant l'expiration de la première période de cinq ans, il pourra, les cinq ans écoulés, être dénoncé en tout temps avec un préavis de six mois.

**Article 10**

Le présent traité sera ratifié et les ratifications en seront échangées à Téhéran le plus tôt que faire se pourra.

**Article 11**

Le présent traité entrera en vigueur à partir de l'échange des instruments de ratification.

**Article 12**

Le présent traité est rédigé en deux exemplaires en arabe, persan et français. En cas de différend, le texte français fait foi.

En foi de quoi, les plénipotentiaires des deux Hautes Parties Contractantes ont signé le présent traité et y ont apposé leurs sceaux.

Fait à Téhéran, le 28 novembre 1928.

Signatures : HASSAN NACHÂT  
F. PAKRAVAN

Sceaux : HASSAN NACHÂT  
F. PAKRAVAN

*Protocole Additionnel*

I.—Le présent traité n'affecte en rien les dispositions de l'Accord provisoire conclu entre les Hautes Parties Contractantes le 12 mai 1923.

II.—Les affaires dont ont été régulièrement saisies des juridictions d'après les règles en force avant la mise en vigueur du présent traité resteront de leur compétence exclusive jusqu'au jugement définitif.

Fait à Téhéran, le 28 novembre 1928.

Signatures : HASSAN NACHÂT  
F. PAKRAVAN

**3. EXCHANGE OF IDENTICAL NOTES BETWEEN HASSAN NASHAT PASHA  
AND FATOULLAH KHAN PAKREVAN, NOVEMBER 28, 1928**

I have the honour to inform Your Excellency that in the application of article 6 of the Treaty of to-day's date between the Persian Empire and the Kingdom of Egypt, it is understood that:

1. The provisions of the said Treaty do not prejudice the right of the tribunals of the respective countries to request and receive evidence with regard to questions of personal status.

2. In the case that the tribunals in Egypt, being ordinarily competent to apply to Persian nationals their national legislation in the matter of personal status, as this legislation is applied in Persia, should not be in a position to do so, the differences in the matter shall be referred to other tribunals, by exception to their general competence.

Similarly, the lay tribunals in Persia, called upon to judge Egyptian nationals, shall apply to the latter in the matter of personal status, conformably to the principles of international law, the Sharii rules, as these are applied in Egypt.

### III. TRANS-JORDAN

**AGREEMENT OF FEBRUARY 20, 1928, BETWEEN GREAT BRITAIN AND  
TRANS-JORDAN<sup>1</sup>**

Whereas His Britannic Majesty in virtue of a Mandate entrusted to him on the 24th of July, 1922, has authority in the area covered thereby; and

Whereas His Highness the Amir of Trans-Jordan has set up an Administration in that part of the area under Mandate known as Trans-Jordan; and

Whereas His Britannic Majesty is prepared to recognize the existence of an independent Government in Trans-Jordan under the rule of His Highness the Amir of Trans-Jordan, provided that such Government is constitutional and places His Britannic Majesty in a position to fulfil his international obligations in respect of that territory by means of an Agreement to be concluded with His Highness;

Now therefore His Britannic Majesty and His Highness the Amir of Trans-Jordan have resolved to conclude an Agreement for these purposes, and to that end have appointed as their Plenipotentiaries:

<sup>1</sup> British White Paper, Cmd. 3069.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India,

For Great Britain and Northern Ireland :

Field-Marshal the Right Honourable LORD PLUMER, G.C.B., G.C.M.G., G.C.V.O., G.B.E.;

His Highness the Amir of Trans-Jordan :

HASSAN KHALED PASHA ABDUL HUDA ; who, having communicated their full powers, found in good and due form, have agreed as follows:

#### Article 1

His Highness the Amir agrees that His Britannic Majesty shall be represented in Trans-Jordan by a British Resident acting on behalf of the High Commissioner for Trans-Jordan, and that communications between His Britannic Majesty and all other Powers on the one hand, and the Trans-Jordan Government on the other, shall be made through the British Resident and the High Commissioner aforesaid.

His Highness the Amir agrees that the ordinary expenses of civil government and administration, and the salaries and expenses of the British Resident and his staff, will be borne entirely by Trans-Jordan. His Highness the Amir will provide quarters for the accommodation of British members of the staff of the British Resident.

#### Article 2

The powers of legislation and of administration entrusted to His Britannic Majesty, as Mandatory for Palestine, shall be exercised, in that part of the area under Mandate known as Trans-Jordan, by His Highness the Amir through such constitutional government as is defined and determined in the Organic Law of Trans-Jordan, and any amendment thereof made with the approval of His Britannic Majesty.

Throughout the remaining clauses of this Agreement the word 'Palestine', unless otherwise defined, shall mean that portion of the area under Mandate which lies to the west of a line drawn from a point two miles west of the town of Akaba on the Gulf of that name, up the centre of the Wady Araba, Dead Sea and River Jordan to its junction with the River Yarmuk ; thence up the centre of that river to the Syrian frontier.

#### Article 3

His Highness the Amir agrees that for the period of the present Agreement no official of other than Trans-Jordan nationality shall be appointed in Trans-Jordan without the concurrence of His

Britannic Majesty. The numbers and conditions of employment of British officials so appointed in the Trans-Jordan Government shall be regulated by a separate Agreement.

#### Article 4

His Highness the Amir agrees that all such laws, orders or regulations, as may be required for the full discharge of the international responsibilities and obligations of His Britannic Majesty in respect of the territory of Trans-Jordan, shall be adopted and made, and that no laws, orders or regulations shall be adopted or made in Trans-Jordan which may hinder the full discharge of such international responsibilities and obligations.

#### Article 5

His Highness the Amir agrees to be guided by the advice of His Britannic Majesty, tendered through the High Commissioner for Trans-Jordan, in all matters concerning foreign relations of Trans-Jordan, as well as in all important matters affecting the international and financial obligations and interests of His Britannic Majesty in respect of Trans-Jordan. His Highness the Amir undertakes to follow an administrative, financial and fiscal policy in Trans-Jordan such as will ensure the stability and good organization of his Government and its finances. He agrees to keep His Britannic Majesty informed of the measures proposed and adopted to give due effect to this undertaking, and further agrees not to alter the system of control of the public finances of Trans-Jordan without the consent of His Britannic Majesty.

#### Article 6

His Highness the Amir agrees that he will refer for the advice of His Britannic Majesty the annual Budget law, and any law which concerns matters covered by the provisions of this Agreement, and any law of any of the following classes, namely:

- (1) Any law affecting the currency of Trans-Jordan or relating to the issue of bank-notes.
- (2) Any law imposing differential duties.
- (3) Any law whereby persons, who are nationals of any State Members of the League of Nations, or of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League, may be subjected or made liable to any disabilities to which persons who are British subjects, or nationals of any foreign State, are not also subjected or made liable.

- (4) Any special law providing for succession to the Amir's throne, or for the establishment of a Council of Regency.
- (5) Any law whereby the grant of land or money or other donation or gratuity may be made to himself.
- (6) Any law under which the Amir may assume sovereignty over territory outside Trans-Jordan.
- (7) Any law concerning the jurisdiction of the Civil Courts over foreigners.
- (8) Any law altering, amending or adding to the details of the provisions of the Organic Law.

#### Article 7

Except by agreement between the two countries there shall be no customs barrier between Palestine and Trans-Jordan, and the Customs tariff in Trans-Jordan shall be approved by His Britannic Majesty.

The Government of Palestine shall pay to the Trans-Jordan Government the estimated amount of customs duties levied on that part of the goods, entering Palestine from territory other than Trans-Jordan, which subsequently enters Trans-Jordan for local consumption, but shall be entitled to withhold from the sums to be paid on this account the estimated amount of customs duties levied by Trans-Jordan on that part of the goods, entering Trans-Jordan from other than Palestine territory, which subsequently enters Palestine for local consumption. The trade and commerce of Trans-Jordan shall receive at Palestinian ports equal facilities with the trade and commerce of Palestine.

#### Article 8

So far as is consistent with the international obligations of His Britannic Majesty, no obstacle shall be placed in the way of the association of Trans-Jordan, for customs or other purposes, with such neighbouring Arab States as may desire it.

#### Article 9

His Highness the Amir undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners.

These provisions shall be embodied in a separate Agreement, which shall be communicated to the Council of the League of Nations, and, pending the conclusion of such Agreement, no foreigner shall be brought before a Trans-Jordan Court without the concurrence of His Britannic Majesty.

His Highness the Amir undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the law and jurisdiction, with regard to questions arising out of the religious beliefs of the different religious communities.

#### Article 10

His Britannic Majesty may maintain armed forces in Trans-Jordan, and may raise, organize and control in Trans-Jordan such armed forces as may in his opinion be necessary for the defence of the country, and to assist His Highness the Amir in the preservation of peace and order.

His Highness the Amir agrees that he will not raise or maintain in Trans-Jordan, or allow to be raised or maintained, any military forces without the consent of His Britannic Majesty.

#### Article 11

His Highness the Amir recognizes the principle that the cost of the forces required for the defence of Trans-Jordan is a charge on the revenues of that territory. At the coming into force of this Agreement, Trans-Jordan will continue to bear one-sixth of the cost of the Trans-Jordan Frontier Force, and will also bear, as soon as the financial resources of the country permit, the excess of the cost of the British forces stationed in Trans-Jordan, so far as such forces may be deemed by His Britannic Majesty to be employed in respect of Trans-Jordan, over the cost of such forces if stationed in Great Britain, and the whole cost of any forces raised for Trans-Jordan alone.

#### Article 12

So long as the revenues of Trans-Jordan are insufficient to meet such ordinary expenses of administration (including any expenditure on local forces for which Trans-Jordan is liable under Article 11) as may be incurred with the approval of His Britannic Majesty, arrangements will be made for a contribution from the British Treasury by way of grant or loan in aid of the revenues of Trans-Jordan. His Britannic Majesty will also arrange for the payment of the excess of the cost of the British forces stationed in Trans-Jordan, and deemed by His Britannic Majesty to be employed in respect of Trans-Jordan, in so far and for such time as the revenues of Trans-Jordan are insufficient to bear such excess.

#### Article 13

His Highness the Amir agrees that all such laws, orders or regulations as may from time to time be required by His Britannic Majesty

for the purposes of Article 10 shall be adopted and made, and that no laws, orders or regulations shall be adopted or made in Trans-Jordan which may, in the opinion of His Britannic Majesty, interfere with the purpose of that Article.

#### Article 14

His Highness the Amir agrees to follow the advice of His Britannic Majesty with regard to the proclamation of Martial Law in all or any part of Trans-Jordan, and to entrust the administration of such part or parts of Trans-Jordan as may be placed under Martial Law to such officer or officers of His Britannic Majesty's forces as His Britannic Majesty may nominate. His Highness the Amir further agrees that, on the re-establishment of civil government, a special law shall be adopted to indemnify the armed forces maintained by His Britannic Majesty for all acts done or omissions or defaults made under Martial Law.

#### Article 15

His Britannic Majesty may exercise jurisdiction over all members of the armed forces maintained or controlled by His Britannic Majesty in Trans-Jordan.

For the purposes of this and the five preceding Articles, the term 'armed forces' shall be deemed to include civilians attached to or employed with the armed forces.

#### Article 16

His Highness the Amir undertakes that every facility shall be provided at all times for the movement of His Britannic Majesty's forces (including the use of wireless and land-line telegraphic and telephonic services, and the right to lay land-lines), and for the carriage and storage of fuel, ordnance, ammunition and supplies on the roads, railways and waterways and in the ports of Trans-Jordan.

#### Article 17

His Highness the Amir agrees to be guided by the advice of His Britannic Majesty in all matters concerning the granting of concessions, the exploitation of natural resources, the construction and operation of railways, and the raising of loans.

#### Article 18

No territory in Trans-Jordan shall be ceded or leased or in any way placed under the control of any foreign Power; this shall not prevent His Highness the Amir from making such arrangements as

may be necessary for the accommodation of foreign representatives, and for the fulfilment of the provisions of the preceding Articles.

#### Article 19

His Highness the Amir agrees that, pending the making of special extradition agreements relating to Trans-Jordan, the Extradition Treaties in force between His Britannic Majesty and foreign Powers shall apply to Trans-Jordan.

#### Article 20

This Agreement shall come into force so soon as it shall have been ratified<sup>1</sup> by the High Contracting Parties after its acceptance by the constitutional Government to be set up under Article 2. The constitutional Government shall be deemed to be provisional until the Agreement shall have been so approved. Nothing shall prevent the High Contracting Parties from reviewing, from time to time, the provisions of this Agreement, with a view to any revision which may seem desirable in the circumstances then existing.

#### Article 21

The present Agreement has been drawn up in two languages, English and Arabic, and the Plenipotentiaries of each of the High Contracting Parties shall sign two English copies and two Arabic copies. Both texts shall have the same validity, but in case of divergence between the two, in the interpretation of one or other of the Articles of the present Agreement, the English text shall prevail.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Agreement.

Done at Jerusalem, this twentieth day of February, one thousand nine hundred and twenty-eight.<sup>1</sup>

HASSAN KHALID ABOULHOUDY

PLUMER, F.M.

### IV. TURKEY

#### SPEECH BY ISMET PASHA IN THE NATIONAL ASSEMBLY ON SEPTEMBER 14, 1928

I can declare without hesitation, and without fear of being contradicted, that Turkey is one of the countries which have made most efforts and signed the largest number of diplomatic instruments, with a view to dissipating all suspicion and increasing the confidence of her neighbours and even of the most distant countries. We have,

<sup>1</sup> The Agreement has not yet been ratified.

accordingly, signed new acts during the vacation of the National Assembly which we shall submit to it at its next session. I am convinced that these diplomatic instruments will prove once more the strong and unshakable position and the loyalty of our foreign policy.

#### *Turco-Afghan Treaty*

As a new proof of the tendency of our policy, I may mention the treaty of friendship and mutual assistance which we signed recently with Afghanistan during the visit of the sovereign of that country to Turkey, where he was received with great honour amid general acclamation. The efforts of Afghanistan to become a strong factor of peace in the international civilized family fill us with joy. We are firmly convinced that the activity of the sovereign of that country aiming to introduce useful reforms will be crowned with the greatest success.<sup>1</sup>

#### *Turco-Persian Relations*

The protocols which we signed with the Persian Government also show our desire to strengthen the political and economic relations with this country, with which we have been bound by ties of friendship since long ago. As our relations with this neighbouring country develop, it will be possible better to appreciate the great advantages which both parties will derive from the strengthening of their ties of friendship.<sup>1</sup>

#### *Turco-Italian Relations*

The treaty of arbitration, non-aggression and neutrality which we have signed with Italy merits your full approval.<sup>2</sup> Both countries have suffered greatly from the currents of suspicion and lack of confidence, which have been stirred up artificially by one or another side with the object of creating a storm of misunderstanding between the two countries. The signature of the treaty of arbitration and non-aggression with that country has happily put an end to the lies of international speculators of all kinds, which fact has probably exasperated them; the treaty has been a blessing for the two countries as well as for the real friends of peace. The words and acts of that great statesman whose name is Mussolini have such a force, and so much sincerity, that they have contributed in no small measure to the return of confidence between the two States. I can assure you that, since the signature of the treaty, this confidence has steadily increased on both sides.

<sup>1</sup> See note on Soviet and Turkish treaty systems, *supra*, p. 199.

<sup>2</sup> For text of this treaty see *supra*, *Italy*, p. 122, and for Signor Mussolini's statement thereon, p. 143.

*Relations with Bulgaria*

It has also been agreed to regulate our relations with Bulgaria by a treaty of arbitration, non-aggression and neutrality. Moreover, the existing treaty with that country provides for the conclusion of a treaty of arbitration. Our mutual relations are already friendly.

*Relations with Greece*

Before going into the details of our relations with Greece, I must declare that there is no opposition between the reciprocal interests of the two countries; in other words, there is no obstacle in the way of their final understanding. There is, above all, no territorial dispute between them. The present differences arise from the interpretation of the clauses of the existing agreements, and relate to the private interests of nationals of the two countries, and not to state interests.

The settlement of disputes concerning the private interests of nationals must not be regarded as something negligible. But juridical differences of this kind are, as a rule, solved when there is goodwill on both sides to settle them. As for ourselves, we have this goodwill and desire of understanding. According to the recent declarations of the Greek Premier, M. Venizelos, we are led to believe that his Government is equally desirous of coming to an understanding with us. My great confidence in the sentiments of the Hellenic Government has been (if this is possible) strengthened by the contents of a friendly letter which I received from M. Venizelos before my departure from Angora. The sentiments expressed in it will find a friendly echo from our part. As for myself, I am sincerely desirous of seeing our relations with this neighbouring country enter a normal phase by the settlement of the aforementioned differences.<sup>1</sup>

*Relations with Hungary*

The friendly reception given to our Foreign Minister in Hungary on his return from his European trip has filled us with joy. Our political, as well as economic, relations with that country are developing more and more every day.

The questions which I have just reviewed prove abundantly that the period of parliamentary vacation has not been sterile for us, that it has, on the contrary, been very fruitful, judging by the treaties and other similar acts of friendship and peace.

<sup>1</sup> For M. Venizelos's statement on Graeco-Turkish relations see *supra*, *Greece*, p. 120.

I intended to speak to you exclusively of our Government's activity during the parliamentary vacation; but by enlarging somewhat the scope of my explanation, I have been able to furnish you with the necessary elements for a better understanding of the situation.

#### *Relations with Other Countries*

Our relations with Russia continue to be friendly. Steady confidence and goodwill continue to reign between the two countries. With the Soviet Union we have treaties concerning the pasturage right of the frontier populations.

Our relations with Great Britain are good and normal.

We have signed the settlement, concerning the question of coupons, which interests France in particular. I hope that our spirit of sacrifice will be justly appreciated by the acceptance of so heavy a pecuniary engagement.

Our principal object is to assure confidence on the Syrian frontiers. It is no secret that we suffer real damages, and that we are greatly vexed by the incidents occurring along these frontiers.

Another incontestable fact is that we do not see any antagonism between the superior interests of Turkey and France, and we are greatly desirous of seeing the relations of the two countries develop with goodwill on both sides. I am confident that, with the coming of the new French ambassador and through his fruitful efforts, the frontier questions will be settled in a satisfactory manner.

Our relations with Germany and Japan are good. Our relations with other countries are developing in an atmosphere of peace and understanding.

### V. THE YEMEN

#### TREATY BETWEEN ITALY AND THE YEMEN SIGNED ON JUNE 1, 1927 (MADE PUBLIC IN 1928)<sup>1</sup>

Mutually animated by the desire to strengthen the ties of friendship and relationship between their two countries, and by the will to put their relations on the basis of alliance and understanding, the two Parties have agreed to add the following supplement to the Treaty concluded between them at Sana on September 2, 1926, with the object of regulating their political relations on a basis which guarantees to H.M. the King of the Yemen his right to complete and absolute independence and to the union of all Yemen countries with the

<sup>1</sup> For Signor Mussolini's statement regarding this treaty see *supra*, *Italy*, p. 127.

support of H.M. the King of Italy. For this purpose, H.M. the King of Italy, through his Envoy Plenipotentiary, Cav. Jacopo Gasparini, Governor of Eritrea ; and H.M. the King of the Yemen, Imam Yahia Emirul-Muminin, through his son, Selif-ul-Islam Emir Mohammed, have agreed on what follows :

#### Article 1

This supplement is considered as an addition to the treaty concluded at Sana between the two Royal Majesties, and the two Contracting Parties agree to keep it secret unless they later should mutually decide to make it public.

#### Article 2

H.M. the King of Italy recognizes the absolute independence of the countries of H.M. the King of the Yemen within all their known geographical borders.

#### Article 3

H.M. the King of Italy undertakes to endeavour to support H.M. the King of the Yemen with all means at his disposal, and to deliver to him all that he needs in respect of arms and munitions, at favourable prices. The payment shall be made in yearly instalments, fixed by mutual agreement, and shall be distributed over the period of the agreement (that is, ten years).

#### Article 4

H.M. the King of Italy undertakes to place at the disposal of H.M. the King of the Yemen all experts whom he may need as officials, on condition that they shall be subject to His Majesty during their terms of service. H.M. the King of the Yemen declares, on his part, that he will allow Italian nationals to submit disputes which may arise among them to their consul at Hodeida.

#### Article 5

H.M. the King of the Yemen declares that, during the validity of this supplementary treaty, Italians will be given precedence in the matter of taking over economic enterprises in the countries of the Yemen ; His Majesty, however, shall have the right to receive such taxes from them as he levies in virtue of the laws of his country.

#### Article 6

H.M. the King of the Yemen declares his desire to abolish the slave trade with the assistance of H.M. the King of Italy, and for that

reason declares himself ready to allow Italian steamers the control of the slave trade in the coastal waters under His Majesty's sovereignty.

#### Article 7

This supplementary agreement shall take effect from the date of its ratification by the two Contracting Royal Majesties, and shall remain in force until the expiry of the commercial treaty concluded in September, 1926, without excluding the possibility of an agreement between the two parties for its prolongation.

#### Article 8

This supplementary agreement is made in four copies, two in Arabic and two in Italian. Both texts are equally valid; as, however, H.M. the King of the Yemen has no one at his disposal who knows the Italian language perfectly, and as in the negotiations the agreement between the two parties was reached in the Arabic language, the two Parties shall refer to the Arabic text if doubt or difference in the interpretation of the two texts should arise.

Done at Hodeida on June 1, 1927.

## FAR EAST

### I. CHINA

#### 1. ORGANIC LAW OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA<sup>1</sup>

(Promulgated at Nanking on October 4, 1928.)

The Kuomintang of China, in order to establish the Republic of China on the basis of the Three Principles of the People and the Constitution of Five Powers, which form the underlying principle of the Revolution, having conquered all opposition by military force and having now brought the Revolution from the military stage to the educative stage, deem it necessary to construct a framework for the Constitution of Five Powers with a view to developing the ability of the people to exercise political power, so that constitutional government may soon come into existence and political power be restored to the people; and, further, in virtue of the responsibilities hitherto entrusted to the Party for the guidance and supervision of the

<sup>1</sup> Official Translation prepared by the Chinese Foreign Office.

Government, do hereby ordain and promulgate the following Organic Law of the National Government:

### CHAPTER I

#### *The National Government*

##### Article 1

The National Government shall exercise all the governing powers of the Republic of China.

##### Article 2

The National Government shall have the supreme command of the land, naval, and air forces.

##### Article 3

The National Government shall have the power to declare war, to negotiate peace, and to conclude treaties.

##### Article 4

The National Government shall exercise the power of granting amnesties, pardons, reprieves, and restitution of civic rights.

##### Article 5

The National Government shall be composed of the following five Yuan: the Executive Yuan, the Legislative Yuan, the Judicial Yuan, the Examination Yuan, and the Control Yuan.

##### Article 6

There shall be a President and from twelve to sixteen State Councillors of the National Government.

##### Article 7

The Presidents and Vice-Presidents of the Five Yuan shall be appointed from among the State Councillors of the National Government.

##### Article 8

The President of the National Government shall represent the National Government in receiving foreign diplomatic representatives and in officiating or participating in State functions.

##### Article 9

The President of the National Government shall concurrently be the Commander-in-Chief of the land, naval, and air forces of the Republic of China.

**Article 10**

In case the President of the National Government is unable to discharge his duties from any cause whatsoever, the President of the Executive Yuan shall act in his place.

**Article 11**

The National Government shall conduct national affairs through the State Council.

The State Council shall be composed of the State Councillors of the National Government, and the President of the National Government shall be the Chairman of the State Council.

**Article 12**

All matters which cannot be settled between two or more of the Yuan shall be referred to the State Council for decision.

**Article 13**

All laws promulgated, and all mandates issued by virtue of a decision of the State Council, shall be signed by the President of the National Government and countersigned by the Presidents of the Five Yuan.

**Article 14**

Each of the Five Yuan may, according to law, issue orders.

**CHAPTER II***The Executive Yuan***Article 15**

The Executive Yuan shall be the highest executive organ of the National Government.

**Article 16**

The Executive Yuan shall have a President and a Vice-President.

In case the President is unable to discharge his duties from any cause whatsoever, the Vice-President shall act in his place.

**Article 17**

The Executive Yuan shall establish Ministries to which shall be entrusted the various executive duties.

The Executive Yuan may appoint Commissions to take charge of specified executive matters.

**Article 18**

The Ministries of the Executive Yuan shall each have a Minister, a Political Vice-Minister, and an Administrative Vice-Minister, and

the various Commissions shall each have a Chairman and a Vice-Chairman, all of whom shall be appointed or removed by the National Government at the instance of the President of the said Yuan.

#### Article 19

The Ministers and the Chairmen of the various Commissions of the Executive Yuan may, when necessary, attend the meetings of the State Council and of the Legislative Yuan.

#### Article 20

The Executive Yuan may introduce in the Legislative Yuan bills on matters within its own competence.

#### Article 21

Meetings of the Executive Yuan shall be attended by the President, the Vice-President, the Ministers of the various Ministries, and the Chairmen of the various Commissions, and presided over by the President of the said Yuan.

#### Article 22

The following matters shall be decided at the meetings of the Executive Yuan:

- (1) Bills on legislative matters to be introduced in the Legislative Yuan.
- (2) Budgets to be submitted to the Legislative Yuan.
- (3) Amnesties to be submitted to the Legislative Yuan.
- (4) Declaration of war, negotiation for peace, conclusion of treaties, and other important international matters to be submitted to the Legislative Yuan.
- (5) The appointment or dismissal of administrative officials of or above the rank of Chien-Jen (Third Class).
- (6) All matters which cannot be settled between the various Ministries and Commissions of the Executive Yuan.
- (7) All matters which, according to law or in the opinion of the President of the Yuan, should be decided at the meetings of the said Yuan.

#### Article 23

The various Ministries and Commissions of the Executive Yuan may, according to law, issue orders.

#### Article 24

The organization of the Executive Yuan and of the various Ministries and Commissions shall be determined by law.

**CHAPTER III***The Legislative Yuan***Article 25**

The Legislative Yuan shall be the highest legislative organ of the National Government.

The Legislative Yuan shall have the power to decide upon the following: legislation, budgets, amnesties, declaration of war, negotiation for peace, conclusion of treaties, and other important international affairs.

**Article 26**

The Legislative Yuan shall have a President and a Vice-President.

In case the President is unable to discharge his duties from any cause whatsoever, the Vice-President shall act in his place.

**Article 27**

The Legislative Yuan shall be composed of from forty-nine to ninety-nine members, who shall be appointed by the National Government at the instance of the President of the said Yuan.

**Article 28**

The term of office of the members of the Legislative Yuan shall be two years.

**Article 29**

The members of the Legislative Yuan shall not concurrently be non-political administrative officials of the various organs of the central or local governments.

**Article 30**

The President of the Legislative Yuan shall preside at all meetings of the Legislative Yuan.

**Article 31**

All resolutions passed by the Legislative Yuan shall be decided upon and promulgated by the State Council.

**Article 32**

The organization of the Legislative Yuan shall be determined by law.

**CHAPTER IV***The Judicial Yuan***Article 33**

The Judicial Yuan shall be the highest judicial organ of the National Government, and shall take charge of judicial trials, judicial administration, disciplinary punishment of officials, and trial of administrative cases.

The granting of pardons and reprieves, and the restitution of civic rights, shall be submitted by the President of the Judicial Yuan to the National Government for approval and action.

**Article 34**

The Judicial Yuan shall have a President and a Vice-President.

In case the President is unable to discharge his duties from any cause whatsoever, the Vice-President shall act in his place.

**Article 35**

The Judicial Yuan may introduce in the Legislative Yuan bills on matters within its own competence.

**Article 36**

The organization of the Judicial Yuan shall be determined by law.

**CHAPTER V***The Examination Yuan***Article 37**

The Examination Yuan shall be the highest examination organ of the National Government, and shall take charge of examinations and determine the qualifications for public service. All public functionaries shall be appointed only after having, according to law, passed an examination and their qualifications for public service having been determined by the Examination Yuan.

**Article 38**

The Examination Yuan shall have a President and a Vice-President.

In case the President is unable to discharge his duties from any cause whatsoever, the Vice-President shall act in his place.

**Article 39**

The Examination Yuan may introduce in the Legislative Yuan bills on matters within its own competence.

**Article 40**

The organization of the Examination Yuan shall be determined by law.

**CHAPTER VI***The Control Yuan***Article 41**

The Control Yuan shall be the highest supervisory organ of the National Government and shall, according to law, exercise the following powers:

- (1) Impeachment.
- (2) Auditing.

**Article 42**

The Control Yuan shall have a President and a Vice-President.

In case the President is unable to discharge his duties from any cause whatsoever, the Vice-President shall act in his place.

**Article 43**

The Control Yuan shall be composed of from nineteen to twenty-nine members, who shall be appointed by the National Government at the instance of the President of the said Yuan.

The security of tenure of office of the members of the Control Yuan shall be determined by law.

**Article 44**

All meetings of the Control Yuan shall be attended by members of the Control Yuan and presided over by the President of the said Yuan.

**Article 45**

The members of the Control Yuan shall not concurrently hold any office in any of the organs of the central or local governments.

**Article 46**

The Control Yuan shall have the power to introduce in the Legislative Yuan bills on matters within its own competence.

**Article 47**

The organization of the Control Yuan shall be determined by law.

## CHAPTER VII

*Additional Article*

## Article 48

The present Law shall come into force on the day of its promulgation.

## 2. NOTE

During 1928 the National Government of China signed new treaties with twelve foreign powers. Of these all provided for tariff autonomy and five provided, in addition, for the abolition of extra-territoriality, under certain conditions, on January 1, 1930.

Those treaties which covered tariff autonomy only are as follows:

With THE UNITED STATES	Signed July 25
With GERMANY	„ August 20
With NORWAY	„ November 12
With THE NETHERLANDS	„ December 19
With GREAT BRITAIN	„ December 20
With SWEDEN	„ December 20
With FRANCE	„ December 22

Those dealing with both tariff autonomy and the abolition of extra-territoriality:

With BELGIUM	Signed November 22
With ITALY	„ November 27
With DENMARK	„ December 12
With PORTUGAL	„ December 19
With SPAIN	„ December 27

All the treaties had provisions for non-discriminatory treatment in respect of nationals and in tariff matters accruing to the High Contracting Parties, while those with Portugal, the Netherlands, Great Britain, Sweden, and France provided for non-discriminatory treatment specifically in respect of goods. The French and British treaties contained promises of the abolition of *likin* and other inland taxes 'as soon as possible', and the five Powers surrendering extra-territorial rights reserved the privilege for their nationals of acquiring property, residence and trade in the interior of China, but agreed that they should be made liable to taxation on a non-discriminatory basis.

Special provisions were made in the cases of (a) specific mention of certain goods in which the Netherlands are especially interested, (b) the application uniformly of the customs tariff on all land and sea frontiers in the British treaty; and (c) in the French treaty, where it was laid down that French customs legislature prevents according minimum tariff *en bloc* to Chinese products; as a result these products enjoying such treatment were listed. Reductions of tariffs on the Indo-China frontier was to cease not later than March 31, 1929.

### 3. THE SINO-AMERICAN TREATY, JULY 25, 1928

(Official title: 'Treaty Regulating Tariff Relations between the United States of America and the Republic of China').<sup>1</sup>

The United States of America and the Republic of China, both being animated by an earnest desire to maintain the good relations which happily subsist between the two countries, and wishing to extend and consolidate the commercial intercourse between them, have, for the purpose of negotiating a treaty designed to facilitate these objects, named as their Plenipotentiaries:

The President of the United States of America:

J. V. A. MACMURRAY, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to China;

and the Government Council of the Nationalist Government of the Republic of China:

T. V. SOONG, Minister of Finance of the Nationalist Government of the Republic of China;

who, having met and duly exchanged their full powers, which have been found to be in proper form, have agreed upon the following treaty between the two countries:

#### Article 1

All provisions which appear in treaties hitherto concluded and in force between the United States of America and China, relating to rates of duty on imports and exports of merchandise, drawbacks, transit dues and tonnage dues in China, shall be annulled and become inoperative, and the principle of complete national tariff autonomy shall apply, subject, however, to the condition that each of the High Contracting Parties shall enjoy, in the territories of the other, with respect to the above specified and any related matters, treatment in no way discriminatory as compared with the treatment accorded to any other country.

The nationals of neither of the High Contracting Parties shall be compelled, under any pretext whatever, to pay within the territories of the other Party any duties, internal charges or taxes upon their importations and exportations other or higher than those paid by nationals of the country or by nationals of any other country.

The above provisions shall become effective on January 1, 1929,

<sup>1</sup> Official translation prepared by the Chinese Foreign Office.

provided that the exchange of ratifications hereinafter provided shall have taken place by that date; otherwise, at a date four months subsequent to such exchange of ratifications.

### Article 2

The English and Chinese texts of this treaty have been carefully compared and verified; but, in the event of there being a difference of meaning between the two, the sense as expressed in the English text shall be held to prevail.

This treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Treaty in duplicate in the English and Chinese languages and have affixed our respective seals.

Done at Peiping, the 25th day of July, 1928, corresponding to the 25th day of the 7th month of the 17th year of the Republic of China.

(Seal)                (Signed)

J. V. A. MACMURRAY.

(Seal)                (Signed)

T. V. SOONG.

### 4. THE SINO-BELGIAN TREATY, NOVEMBER 22, 1928

(Official title: 'Preliminary Treaty of Amity and Commerce between the Union of Belgium and Luxemburg and the Republic of China'.)<sup>1</sup>

His Majesty the King of the Belgians, acting in his name and in the name of Her Royal Highness the Grand Duchess of Luxemburg in virtue of existing agreements, and the National Government of the Republic of China, being mutually animated by a desire to further strengthen the ties of friendship already happily existing between the Union of Belgium and Luxemburg and China, have decided to conclude a Preliminary Treaty of Amity and Commerce and have, for this purpose, named as their plenipotentiaries, viz.:

His Majesty the King of the Belgians,

Baron J. GUILLAUME, Chargé d'Affaires ad interim of Belgium in China;

His Excellency the President of the National Government of the Republic of China,

Dr. CHENGTING T. WANG, Minister for Foreign Affairs of the National Government of the Republic of China;

<sup>1</sup> Official translation prepared by the Chinese Foreign Office.

who, having exchanged their full powers found to be in due order and proper form, have agreed upon and concluded the following Articles:

#### Article 1

The two High Contracting Parties recognize that, in the matter of customs and all related matters, they are on a footing of perfect equality, and on the basis of this principle they agree that such matters shall be regulated exclusively by their respective national laws.

It is further agreed that, in respect of all questions of customs as well as all questions relating thereto, neither of the two High Contracting Parties shall be subject, in the territory of the other, to a treatment less favourable than that accorded to any other country.

In no case shall the nationals of one of the High Contracting Parties be compelled to pay, in the territory of the other, with respect to the importation as well as exportation of merchandise, customs dues, transit taxes, or taxes of any other kind, other or higher than those which are paid by the nationals of the country or by the nationals of any other country.

#### Article 2

The nationals of each of the two High Contracting Parties shall be subject, in the territory of the other Party, to the laws and the jurisdiction of the law courts of that Party.

#### Article 3

The two High Contracting Parties shall, as soon as possible, enter into negotiations with a view to the conclusion of a Treaty of Commerce and Navigation, based upon the principle of reciprocity and equality of treatment.

#### Article 4

The present Treaty is written in French, Chinese and English; in case of any difference of interpretation, the English text shall be held to be authoritative.

#### Article 5

The present Treaty shall be ratified as soon as possible and the ratifications shall be exchanged at Nanking. It shall come into force on the date on which the two Governments shall have notified each other that the ratification has been effected.

In testimony whereof the representative Plenipotentiaries have signed the present Treaty in duplicate and have affixed their seals thereto.

Done at Nanking this 22nd day of November, 1928, corresponding to the Twenty-second day of the Eleventh Month of the Seventeenth year of the Republic of China.

(Signed)

Baron J. GUILLAUME,

Plenipotentiary and Chargé d'Affaires ad interim of Belgium in China.

Personal Seal of Baron J. Guillaume.

(Signed)

CHENGTING T. WANG,

Plenipotentiary and Minister for Foreign Affairs of the National Government of the Republic of China.

Personal Seal of Dr. Chengting T. Wang.

#### ANNEXES

##### ANNEX I

Ministry of Foreign Affairs,  
Nanking.

November 22, 1928.

Monsieur le Chargé d'Affaires.

In the name of the National Government of the Republic of China I have the honour to state that Article 2 of the Treaty signed this day between China and Belgium shall be understood to begin to be operative on January 1st, 1930. Before such date the Chinese Government will make detailed arrangements with the Belgian Government for the assumption by China of jurisdiction over Belgian subjects. Failing such arrangement on the said date, Belgian subjects shall thereafter be amenable to Chinese laws and jurisdiction, as soon as the majority of the Powers now possessing Extraterritorial privileges in China shall have agreed to relinquish them.

(S) CHENGTING T. WANG.

Baron J. Guillaume, Belgian Chargé d'Affaires in China, Nanking.

Nanking,

November 22nd, 1928.

Monsieur le Ministre,

I have the honour to acknowledge receipt of Your Excellency's Note of to-day's date, which reads as follows: (*see previous letter*).

I have the honour to express to Your Excellency the agreement of His Majesty's Government on this subject.

I avail myself, &c.,

(Signed)

Baron J. GUILLAUME.

## ANNEX II

*Declaration*

I have the honour to declare that on or before January 1st, 1930, the Civil Code and the Commercial Code, in addition to other Codes and laws now in force, will be duly promulgated by the National Government of the Republic of China.

(S) CHENGTING T. WANG.

(Personal Status)

## ANNEX III

*Joint Declaration*

The Chinese and Belgian Governments declare that it did not appear necessary to insert in the Sino-Belgian Treaty signed this day a clause guaranteeing to the Belgian and Luxemburg subjects in China, and to the Chinese citizens in Belgium and Luxemburg, the application of their respective national laws relating to their personal status, inasmuch as the High Contracting Parties recognize in a general way this principle which is based on Private International Law, except in the case where such laws will be contrary to the public order of the country to apply them.

(Signed) Baron J. GUILLAUME.  
CHENGTING T. WANG.

## ANNEX IV

*Declaration*

In the name of the National Government of the Republic of China, I have the honour to declare that, when Belgian subjects in China cease to enjoy the privileges of consular jurisdiction, and when the relations between the two countries are on a footing of perfect equality, the Chinese Government, in view of the fact that Chinese citizens are permitted to live, and trade and to acquire property in any part of the territories of Belgium and Luxemburg, will permit Belgian and Luxemburg subjects to enjoy the same rights in China, subject to the limitations to be prescribed in its laws and regulations.

(S) CHENGTING T. WANG.

## ANNEX V

*Declaration*

In the name of my Government, I have the honour to declare that Belgium and Luxemburg subjects in China shall pay such taxes as

may be prescribed in the laws and regulations duly promulgated by the Chinese Government, provided that the same taxes are paid by the nationals of all Powers having treaty relations with China.

(S) Baron J. GUILLAUME.

## II. JAPAN

### SPEECH BY BARON TANAKA IN THE DIET ON JANUARY 21, 1928

I am very pleased to note that the relations between Japan and other Powers are becoming more and more cordial, and that the work of the League of Nations, in which institution Japan is a permanent member and with which she co-operates in full sincerity, is marked by notable progress from year to year.

The conference between Japan, Great Britain, and the United States for the limitation of naval armaments, which assembled at Geneva last June at the initiative of President Coolidge, unfortunately failed in spite of the earnest efforts of the interested Powers. The Japanese Government entered the conference having in view the fundamental principle of contributing to the assurance of world peace and to the relief of fiscal burdens of nations, but without losing sight of the safety of our own national defence. Our delegates followed this principle consistently and tried, on the one hand, to maintain our claims, and, on the other, to conciliate the views of the British and American delegates. I believe that the loyal and just position of Japan on the question of limitation of armaments, and her sincere efforts at the international conference, have been fully recognized by the entire world.

The task of concluding and revising our treaties of commerce and navigation with different countries is still in progress; thanks to it, a new trade agreement was signed last June by the German Ambassador in Japan and by myself, and the Franco-Japanese agreement on establishment and navigation in French Indo-China was concluded last August.

As for the relations between the United States and Japan, it is regrettable that the question which has been pending for several years, with regard to the discriminatory legislation against Japanese immigration, still remains unsettled. I must admit, nevertheless, that the mutual understanding and the sympathy of the American and Japanese peoples, which are the essential elements for solving such problems, are gradually increasing.

Our relations with the Union of Socialist Soviet Republics, one of

our good neighbours, are becoming firmer in friendship. Various economic enterprises carried on by our nationals on Russian territory in the Far East likewise mark real progress, and trade between the two countries shows a gradual development.

I shall now refer to China, and explain my views on the conditions in that country in which Japan has vital interests. It is indeed pitiful that troubles continue there without the slightest prospect of ceasing some day. The political situation in China is unstable, and thus has an unfavourable effect in many respects upon the Powers which are in close relations with her. From the economic standpoint, this instability has grave consequences for Japan, whose relations with China are particularly close. In case the chaos should come to a point where it would put in peril the lives and the property of foreign residents, and shake the very foundation of the economic interests which our people have established there at the cost of great efforts for many years, we could not, indeed, tolerate such a situation.

Our position with regard to China being thus defined, it is evidently inevitable that, in case the Chinese authorities should not take into account the obligations imposed upon them by treaties, and should not protect effectively the lives and the property of foreigners, we would ourselves take, in case of need, the measures of defence.

It is needless to say that the Japanese Government does not intend to intervene in the internal affairs of China; but we shall not hesitate at any moment to take measures which may be required, both to assure our rights and interests, and to safeguard the lives and the property of our nationals in China. In fact, Japan was obliged last May to detach troops temporarily in order to protect her nationals in the Tsinan district, at a time when hostilities were on the point of being extended in Shantung. It is to be noted with satisfaction that the security of our compatriots residing in this region has been maintained.

As for the recent development of Chinese affairs, we have observed a marked tendency in different parts of that country to violate treaties repeatedly, regardless of the protests of the Powers. Such practices are bound to cause the greatest harm to the Chinese people. Japan cannot ignore this situation. Consequently, the Japanese Government has from this moment taken such measures as actual circumstances require.

These are the general lines of the Government's policy with regard to China. As regards Manchuria and Mongolia, particularly the three eastern provinces, we are inclined to think that, in view of the special character of Japan's historical and geographical relations with those

regions, it may be necessary for us to take those provinces under a very special consideration. The Japanese Government hopes that order will be maintained in those provinces, that Chinese and foreigners will continue to live there in peace, and that the provinces will develop economically. It is with this hope that the maintenance of peace and order must always be the object of constant attention. In this respect, the Japanese Government wishes it above all to be understood that, as in the other parts of China, it will always sincerely intend to respect and to observe the principle of the open door and of equal opportunity in the provinces, and, in virtue of this principle, it is ready to co-operate with the authorities and with the Chinese people in the economic development of the region.

## *E. AFRICA*

### I. ABYSSINIA

#### 1. ITALO-ABYSSINIAN AGREEMENT. AUGUST 2, 1928<sup>1</sup>

His Majesty Victor Emanuel III, King of Italy, and Her Majesty Zauditu, Empress of Ethiopia:

Desirous that the friendship between their two States should become more stable and durable, and that the economic relations between the two countries continue to develop;

Wherefore, Commendatore Giuliano Cora, Minister Plenipotentiary of the Kingdom of Italy, in the name of His Majesty Victor Emanuel III and His Successors, and

His Imperial Highness Tafari Makonnen, Heir to the Throne and Regent of the Abyssinian Empire, in the name of Empress Zauditu, in His personal name and in the name of Their Successors,

Have agreed on the following:

#### Article 1

There shall be durable peace and perpetual friendship between the Kingdom of Italy and the Ethiopian Empire.

#### Article 2

The two Governments mutually pledge themselves not to take, under any pretext, any action which might be detrimental to the independence of the other, and to safeguard the interests of their respective countries.

#### Article 3

The two Governments undertake to develop and promote the trade existing between the two countries.

#### Article 4

Italian citizens, subjects and protégés settled in Ethiopia, and Ethiopians settled in Italy and her colonies, in respect of their commerce, work, necessities of life and subsistence, and in respect of everything concerning the exercise of their profession, commerce and work, are required to observe and respect the laws of the State wherein they reside.

It is understood that the provisions of Article 7 of the treaty between the Ethiopian Empire and the French Republic, concluded

<sup>1</sup> The ratifications of this treaty were exchanged on August 4, 1929.

on January 10, 1908, shall continue to apply to Italian citizens, subjects and protégés in Ethiopia, so long as the latter treaty remains in force.

#### Article 5

The two Governments agree to submit to a procedure of conciliation or arbitration any questions which may arise between them, and which it has not been possible to settle by the usual diplomatic means, without having recourse to the force of arms. By common agreement, notes shall be exchanged between the two Governments concerning the method of choosing arbitrators.

#### Article 6

The present Treaty, which is to be registered with the League of Nations, shall be ratified and the exchange of ratifications shall take place at Addis-Abeba as soon as possible.

#### Article 7

The present Treaty shall remain in force for twenty years after the exchange of ratifications. On the expiration of this period, it shall be renewed from year to year.

Done in duplicate in the official Italian and Amharic languages, both texts being identical; one copy shall remain in the hands of the Italian Government and one in the hands of the Ethiopian Government.

Addis-Abeba, August 2, 1928. Year VI (Twenty-sixth day of the month of Hamlé of the year of Grace 1901).

### 2. ITALO-ABYSSINIAN MOTOR ROAD CONVENTION, AUGUST 2, 1928

The Kingdom of Italy and the Ethiopian Empire

Have agreed and decided upon the following Convention:

#### Article 1

This Convention is made for two purposes: the construction of a motor road from Assab to Dessie, and the concession to the Ethiopian Government of a free zone in the port of Assab. These two obligations shall be inseparable in execution.

#### Article 2

With a view to developing the trade between the two countries, the Ethiopian Government shall build the section of the road in Ethiopian territory from Dessie as far as the Italian frontier in the direction of Assab.

The Italian Government, on its part, shall build the remaining section of the road from the port of Assab as far as the Ethiopian frontier.

The Ethiopian Government may build the section of the road within its territory at its own expense, or by the agency of a company, to which the Ethiopian Government reserves the right to concede such construction by charter which it may draft itself. In case the work is to be executed by a company, the Ethiopian Government may participate as a shareholder in that company.

### Article 3

An Italo-Ethiopian company shall be formed for the transport of goods and passengers by automobiles on the Assab-Dessie motor road. The Ethiopian Government may furnish directly its quota of the company's capital or permit others to subscribe in shares. This Italo-Ethiopian company alone shall have the concession for the transport of goods and passengers on this road, and the latter may not be given in concession to another company.

### Article 4

In the port of Assab, the Italian Government shall give the Ethiopian Government in concession, for one hundred and thirty years, a tract of land in a locality which may be conveniently approached by vessels, in or outside the city, according to the choice which the Ethiopian Government will make between the two zones offered by the Italian Government.

The area of the zone shall be six thousand square metres if situated in the city, and thirty thousand square metres if situated outside the city. For its convenience, the Ethiopian Government may alter the length and breadth of this zone. The sea is excluded from alteration.

If the free zone chosen by the Ethiopian Government should be insufficient in the future for the development of Ethiopian interests, the Italian Government shall receive favourably an eventual request from the Ethiopian Government for the extension of the said zone.

Nevertheless, if the zone of six thousand square metres is chosen, the extension of its area shall be conceded in relation to the locality, account being taken of the scarcity of land in that district.

This tract of land shall be delimited precisely by a commission of experts chosen by the two Governments, and signposts shall be placed on its limits.

For this conceded zone the Ethiopian Government shall pay the Italian Government an annual rent of one Maria Theresa Thaler.

The Ethiopian Government shall have the right to build in this zone a warehouse for goods which shall be exempt from all customs duties, other constructions necessary for the management of warehouses and any other buildings which may be necessary, to carry on any useful work, to develop the zone in order to increase the financial returns which may be derived therefrom, and to carry on any convenient or particularly useful activities.

The Ethiopian Government shall have the right to build on the area of the warehouse, or attach to it by a passage to be established later, a jetty in the sea for the use of Ethiopia. This jetty may be approached by vessels of the Ethiopian Government and by merchant vessels of other States. The Ethiopian Government shall have the right of passage in regard to everything which it may have in transit from the jetty to the above-mentioned warehouse, and from the latter to the point in intersection of the Italo-Ethiopian boundary with the road which will be built in virtue of the provisions of article 2, subject to the observance of international conventions.

### Article 5

Before beginning the work in fulfilment of the obligations arising from the present Convention, the commission of experts, referred to in article 4, shall determine the following:

First. Settle in detail all questions regarding the work and expenditure on the following works:

(a) Work on the road, its organization and the method of its exploitation.

(b) The formation of the company of motor transport, the question of receipts and the question of obligations to be discharged by the company.

(c) All necessary details in regard to the construction and maintenance of the road.

(d) The selection of technical experts and skilled workmen for the works.

(e) The taxes and duties to be paid by the road.

Second. To determine local regulations, judicial competence and all the details connected with the application of article 6 relative to the free zone.

### Article 6

Without bringing any limitation on the application of Italian laws and regulations, eventual disputes, any disputes between functionaries of the Ethiopian Government residing in the free zone, may be judged by the local representative of that Government, in accordance

with the regulations and provisions issued by the Ethiopian Government.

#### Article 7

The undertakings in the present Convention shall become reciprocally effective when the High Contracting Parties shall both have fulfilled their respective obligations, and when the two Governments shall have approved the conclusions of the commission of experts.

#### Article 8

The provisions of the present Convention shall remain in force for the whole period of the concession of the free zone. Nevertheless, if during that time the High Contracting Parties should deem it necessary, they may by common agreement alter its provisions in accordance with the possibilities and opportunities of the moment.

#### Article 9

On the expiration of this Convention, the Ethiopian Government shall have the right from the Italian Government to retain as private property, under the same conditions as any land owner in Assab, all the buildings which it may have erected in the conceded free zone in the port of Assab.

#### Article 10

On the expiration of the present Convention, the two Contracting States may renew it by common agreement.

Done in duplicate in the official Italian and Amharic languages, both texts being identical; one copy shall remain in the hands of the Italian Government, and one in the hands of the Ethiopian Government.

Commendatore Giuliano Cora, Minister Plenipotentiary of His Majesty the King of Italy, in the name of the Italian Government, and His Highness Tafari Makonnen, Heir to the Throne and Regent of the Ethiopian Empire, in the name of the Ethiopian Government, have signed this Convention and have thereunto affixed their seals.

Addis-Abeba, August 2, 1928—Year VI (Twenty-sixth day of the month of Hamlé of the Year of Grace 1901).

## II. EGYPT

### 1. THE ANGLO-EGYPTIAN DRAFT TREATY, NOVEMBER 1927<sup>1</sup>

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Egypt,

Being anxious to consolidate the friendship and to maintain and perpetuate the relations of good understanding between their respective countries,

And considering that, in order to secure this object, it is desirable to give precision to the relationship between the two countries by resolving and defining the outstanding questions at issue, which formed the subject of the reservations which His Britannic Majesty's Government considered it necessary to make on the occasion of the declaration of the 28th February, 1922,

Being anxious to eliminate the possibility of interference in the internal administration of Egypt,

And considering that these objects will best be achieved by the conclusion of a treaty of friendship and alliance, which in their common interest will provide for effective co-operation in the joint task of ensuring the defence and independence of Egypt;

Have agreed to conclude a treaty for this purpose, and have appointed as plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland:

The Right Honourable Lord LLOYD, G.C.S.I., G.C.I.E., D.S.O., Member of His Most Honourable Privy Council;

His Majesty the King of Egypt:

His Excellency ABDEL KHALEK SARWAT PASHA, President of the Council of Ministers:

Who, having communicated their full powers, found in good and due form, have agreed as follows:

#### Article 1

An alliance is established between the high contracting parties in consecration of their friendship, their cordial understanding and their good relations.

<sup>1</sup> The following texts are reprinted from the British Parliamentary Paper, Cmd. 3050 of 1928.

**Article 2**

His Majesty the King of Egypt undertakes not to adopt in foreign countries an attitude incompatible with the alliance or liable to create difficulties for His Britannic Majesty; not to oppose in foreign countries the policy followed by His Britannic Majesty, and not to conclude with a foreign Power any agreement which might be prejudicial to British interests.

**Article 3**

If, by reason of any attack or act of aggression whatsoever, His Majesty the King of Egypt should be involved in war for the defence of his territory or for the protection of the interests of his country, His Britannic Majesty will, subject always to the provisions of the Covenant of the League of Nations, come immediately to his aid in the capacity of belligerent.

**Article 4**

Should circumstances arise likely to imperil the good relations between His Majesty the King of Egypt and a foreign Power, or threaten the lives or property of foreigners in Egypt, His Majesty will at once consult with His Britannic Majesty with a view to the adoption of the measures best calculated to solve the difficulty.

**Article 5**

In view of the co-operation between the two armies as contemplated in article 3, the Egyptian Government pledge themselves to carry out the instruction and training of the Egyptian army in accordance with the methods of the British army; should the Egyptian Government deem it necessary to have recourse to the services of foreign officers or instructors, they will choose them from among British subjects.

**Article 6**

In the event of His Britannic Majesty being menaced with or engaged in war, even though such war should in no way affect the rights or interests of Egypt, His Majesty the King of Egypt undertakes to furnish to His Britannic Majesty in Egyptian territory all the facilities and assistance in his power, including the use of his ports, aerodromes and all means of communication.

**Article 7**

In order to facilitate and secure to His Britannic Majesty the protection of the lines of communication of the British Empire, and pending the conclusion at some future date of an agreement by which

His Britannic Majesty entrusts His Majesty the King of Egypt with the task of ensuring this protection, His Majesty the King of Egypt authorizes His Britannic Majesty to maintain upon Egyptian territory such armed forces as His Britannic Majesty's Government consider necessary for this purpose. The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt.

After a period of ten years from the coming into force of the present treaty, the high contracting parties will reconsider, in the light of their experience of the operation of the provisions of the present treaty, the question of the localities in which the said forces are to be stationed. Should no agreement be reached on this point, the question may be submitted to the Council of the League of Nations. Should the decision of the League of Nations be adverse to the claims of the Egyptian Government, the question can, at their request and under the same conditions, be reinvestigated at intervals of five years from the date of the League's decision.

#### Article 8

In view of the friendship between the two countries and of the alliance established by this treaty, the Egyptian Government, when engaging the service of foreign officials, will as a rule give preference to British subjects.

Nationals of other Powers will only be engaged if no British subjects possessing the necessary qualifications, and fulfilling the requisite conditions, are available.

#### Article 9

His Britannic Majesty undertakes to use all his influence with the Powers possessing capitulatory rights in Egypt to obtain the modification of the capitulatory régime now existing in Egypt, so as to make it conform more closely with the spirit of the times and with the present state of Egypt.

#### Article 10

His Britannic Majesty will use his good offices for the admission of Egypt to the League of Nations, and will support the request which Egypt will present to this effect. Egypt for her part declares herself ready to accept the conditions prescribed for admission to the League.

#### Article 11

In view of the special relations created between the high contracting parties by the alliance, His Britannic Majesty will be represented

at the Court of His Majesty the King of Egypt by an Ambassador, duly accredited, to whom His Majesty the King of Egypt will grant precedence over all other foreign representatives.

Article 12

Nothing in the present treaty is intended to, or shall in any way, prejudice the rights and obligations which devolve or may devolve upon either of the high contracting parties under the Covenant of the League of Nations.

Article 13

The arrangements for carrying certain provisions of the present treaty into effect form the annex hereto, which shall have the same validity and duration as the treaty.

Article 14

The high contracting parties, although convinced that, by reason of the precise definitions laid down above as to the nature of the relations between the two countries, no misunderstanding is to be anticipated between them, agree, nevertheless, in their anxiety to maintain their good relations, that any disagreement on the subject of the application or of the interpretation of these provisions, which they are unable to settle by direct negotiation, shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

The present treaty shall be ratified and the ratifications shall be exchanged at as soon as possible.

In witness whereof the undersigned have signed the present treaty and have affixed thereto their seals.

Done at Cairo, in duplicate, the day of

Annex

J

(a) In default of previous agreement between the high contracting parties to the contrary, British personnel on the existing scale shall be maintained in the Egyptian army with their present functions, and on the conditions of the existing contracts, during the period of ten years provided for in article 7 of the treaty.

(b) The Egyptian Government will not cause the personnel of the Egyptian army to be trained abroad elsewhere than in Great Britain. The Government of His Britannic Majesty, for their part, undertake to receive any mission which the Egyptian Government may send to Great Britain for this purpose.

(c) The armament employed by the Egyptian army shall not

differ in type from that of the British army. His Britannic Majesty's Government undertake to use their good offices, whenever so desired by the Egyptian Government, to facilitate its supply from Great Britain.

(d) The privileges and immunities at present enjoyed by the British forces in Egypt shall continue. The Egyptian Government will continue to place at the disposal of the said forces, free of charge, the land and buildings at present occupied by them until such time as an alteration is made, in accordance with the second paragraph of article 7 of the treaty, in the localities in which the said forces are stationed. When any such alteration is made, the land and buildings vacated shall revert to the Egyptian Government, who will provide, free of charge, in the localities to which the forces are transferred, equivalent accommodation to that provided by the land and buildings vacated.

(e) Unless the high contracting parties shall previously have agreed to the contrary, the Egyptian Government will prohibit the passage of aircraft over the territory situated on either side of the Suez Canal, and within 20 kilom. of it. This prohibition will not, however, apply to the forces of the high contracting parties, or to services already established under existing agreements.

## II

(a) The Egyptian Government, in agreement with His Britannic Majesty's Government, will appoint a financial adviser. When it shall be so desired, the powers at present exercised by the Commissioners of the Debt shall be conferred upon him. He will be kept informed of all legislative proposals of such a nature that, to be applicable to foreigners, they would require in present circumstances the consent of the capitulatory Powers. He shall be at the disposal of the Egyptian Government for all other matters in regard to which they may wish to consult him.

(b) Having regard to future changes in the judicial organization as envisaged in article 9 of the treaty, the Egyptian Government will name, in agreement with His Britannic Majesty's Government, a judicial adviser. He shall be kept informed of all matters concerning the administration of justice in which foreigners are concerned, and will be at the disposal of the Egyptian Government for all other matters in regard to which they may wish to consult him.

(c) Until the coming into force, as the result of agreements between Egypt and the Powers concerned, of the reform of the capitulatory system contemplated in article 9 of the treaty, the Egyptian Government will not modify, except in agreement with His Britannic

Majesty's Government, the number, status and functions of the British officials engaged at the moment in the public security and police services.

**2. DRAFT OF NOTE TO BE ADDRESSED TO THE PRESIDENT OF THE EGYPTIAN COUNCIL OF MINISTERS REGARDING THE UTILIZATION OF THE WATERS OF THE NILE.<sup>1</sup>**

I have the honour to remind your Excellency that, on the occasion of our recent conversations in regard to the utilization of the waters of the Nile, we agreed on the following conclusions:

1. The principle is accepted that the waters of the Nile, that is to say, the combined flow of the White and Blue Niles and their tributaries, must be considered as a single unit, designed for the use of the peoples inhabiting their banks, according to their needs and their capacity to benefit therefrom; and, in conformity with this principle, it is recognized that Egypt has a prior right to the maintenance of her present supplies of water for the areas now under cultivation, and to an equitable proportion of any additional supplies which engineering works may render available in the future.

2. With this end in view, the bases proposed in the report of the Nile Commission, dated the 21st March, 1926, are adopted; the interpretation to be given to this report should take into account the following general conditions:

- (a) During the season of low water the needs of the Sudan (with the exception of certain small areas enumerated in the report in question) shall be satisfied by means of conservancy works constructed by the Sudan Government. The natural flow of the river shall be reserved for the use of Egypt.
- (b) The Sudan will increase to a limited extent only the volumes of water utilized by her during the flood season, in such a way as to allow Egypt the necessary time to complete the works for the development of her own irrigation system.
- (c) Since the waters of the two Niles and of their tributaries are to be regarded as a single unit, compensation for water taken by the Sudan from the natural flow of the river may be provided by the release of water stored in the Sudan Government's works.

3. The practical measures which should immediately be taken, to ensure that the utilization of the water by the Sudan is effected in

<sup>1</sup> This note was enclosed in a dispatch of the November 9, 1927, from Sir Austen Chamberlain to Mr. Henderson at Cairo.

conformity with the above stipulations, are specified in the first of the attached technical agreements (Annex A).<sup>1</sup>

4. The measures specified in Annex A are accepted as appropriate to existing conditions, and to the developments foreseen in the commission's report. As regards possible future developments, it is agreed that Egypt, as the result of her physical configuration, must rely to a greater extent than the Sudan on irrigation works, and that she must accordingly exercise a preponderating influence on the general development of works designed to store the waters of the Nile. It is agreed, therefore, that facilities shall be given to Egypt to undertake, in territories outside her administrative control, the works required for this purpose, subject to the right of the Sudan to such lesser participation in these works as circumstances shall permit.

5. The principles, in accordance with which such development shall be carried out, are defined in the second of the attached technical agreements (Annex B). The progress of development works and their practical operation will form the subject of detailed agreements, which will be revised from time to time as experience or new circumstances may demand.

6. As regards any technical agreements relating to the use of water in the Sudan, the representatives of the Egyptian Irrigation Department will be given all the necessary facilities to check the calculations of the Sudan Government, and they will be granted free access to the latter's irrigation works, in order that they may satisfy themselves that the distribution of the water is carried out in accordance with the agreements reached.

7. As regards conservancy works to be constructed in British territory, His Britannic Majesty's Government will give the Egyptian Government all possible assistance, to enable the latter to carry out the said works in their own interest and at their own expense. As regards the works to be carried out in the Sudan, the Sudan Government will likewise afford help and facilities to the Egyptian Government, subject to such arrangements as the needs of the local administration may necessitate. The Egyptian Government will bear (subject to a proportionate contribution on the part of the Government of the Sudan in the case of works in which that Government is participating) the cost of any secondary works, and any cash payments which are recognized as necessary to compensate local interests injured by the damage and disturbance which the said works may occasion.

<sup>1</sup> The texts of the two technical agreements annexed to the draft note are not printed in the British Parliamentary Paper Cmd. 3050.

8. The acceptance of the principles and conditions enumerated above, particularly in paragraphs 2 (b), 4 and 7, is subject to the condition that the Egyptian Government will avail themselves of the opportunities thereby offered, and will carry out, without unreasonable delay, a development programme consonant with their needs and resources.

9. It is recognized that, in the course of the operations here contemplated, uncertainty may still arise from time to time, either as to the correct interpretation of a question of principle, or as to technical or administrative details. Every question of this kind will be approached in a spirit of mutual good faith, and with the desire to secure an equitable solution in the common interest of Egypt and the Sudan.

**3. DRAFT OF NOTE TO BE ADDRESSED TO THE PRESIDENT OF THE EGYPTIAN COUNCIL OF MINISTERS REGARDING CAPITULATIONS IN EGYPT.<sup>1</sup>**

Excellency,

Article 9 of the draft treaty which we have been discussing provides as follows:

‘His Britannic Majesty undertakes to use all his influence with the Powers possessing capitulatory rights in Egypt to obtain the modification of the capitulatory régime now existing in Egypt, so as to make it conform more closely with the spirit of the times and with the present state of Egypt.’

It will be useful if I explain to your Excellency the lines on which I think this reform of the capitulatory régime might well proceed, as I shall be prepared to support the efforts of the Egyptian Government to conclude arrangements with the Powers on these lines, in the event of the treaty now under discussion between us coming into force.

It was hoped in 1920, when negotiations were in progress between the British and Egyptian Governments, that arrangements might be made for the closing by foreign Powers of their consular courts in Egypt. Draft laws were accordingly prepared in that year extending the existing jurisdiction of the Mixed Tribunals, and enabling them to exercise all the jurisdiction now exercised by the consular courts.

I shall be prepared to agree to the utilization of those draft laws as the basis of the proposed reform of the capitulatory régime, if foreign Powers are willing to transfer to the Mixed Tribunals the jurisdiction of their consular courts.

<sup>1</sup> This note was enclosed in a dispatch of the 24th November, 1927, from Sir Austen Chamberlain to Lord Lloyd at Cairo.

On points of detail many changes will no doubt be required. These must be discussed by experts. There are, however, certain modifications which will, I think, be necessary in any event, and which I desire to take this opportunity of pointing out to your Excellency.

It may be difficult for some Powers to agree to the transfer to the Mixed Tribunals of all suits relating to the 'statut personnel' of their nationals. Transfer in the case of these questions should be facultative. Jurisdiction in such matters should remain with the consular authorities unless an agreement is made between the Egyptian Government and the foreign Government concerned for its transfer to the Mixed Tribunals. I anticipate that His Majesty's Government would be prepared to agree to the Mixed Tribunals exercising jurisdiction in these matters in cases where British subjects are concerned.

His Majesty's Government consider it essential that Egyptians charged with the commission of political offences against foreigners should be tried by the Mixed Tribunals. To avoid all difficulty in deciding whether in any particular case the offence is political or not, the law should provide that, whenever the procureur général of the Mixed Tribunals has reason to believe that the offence with which an Egyptian is charged is a political offence, it will fall within the jurisdiction of the Mixed Tribunals and be dealt with accordingly.

In the case of pardons or remissions of sentences imposed on foreigners, a small committee should be appointed, on whose advice the King would act in the exercise of the prerogative of mercy. This committee should consist of the Minister of Justice, the Judicial Adviser and a third person. This same committee should advise the King in connexion with the execution of capital sentences imposed on foreigners in Egypt.

Egyptian legislation now requires the assent of the Powers or of the Assembly of the Mixed Tribunals, before it becomes binding on the nationals of the capitulatory Powers in Egypt. The powers of the Assembly of the Mixed Tribunals should be extended in this respect and should cover all Egyptian legislation, with the exception of legislation imposing financial burdens on foreigners, and legislation relating to the constitution or jurisdiction of the Mixed Tribunals themselves. The former class should not come into force until the representative of His Britannic Majesty has declared himself satisfied that it does not discriminate inequitably against foreigners. The latter class would modify what is in reality a conventional arrangement between Egypt and the Powers, and therefore should not come into force until it has been approved by the Powers.

An extension of the criminal jurisdiction of the Mixed Tribunals

will necessitate the preparation and promulgation of a new Code of Criminal Procedure. The draft laws prepared in 1920 contain certain provisions of importance on this subject of criminal procedure (Articles 10–27 of Law II), and your Excellency will no doubt agree that the new Criminal Code should not diverge from the principles laid down in these articles.

There are certain matters as to which it will be necessary for agreement to be reached between the Egyptian Government and His Britannic Majesty's Government in Great Britain, but I do not think it necessary to do more at the moment than mention these subjects.

The first is the definition of the word 'foreigner' for the purposes of the proposed extension of the jurisdiction of the Mixed Courts. I understand from your Excellency that the codes, now enforced by the native courts in Egypt, subject to the native tribunals all persons in Egypt other than those who by law, usage or treaty are withdrawn from their jurisdiction. I am content to accept this principle, provided that it is understood that all foreigners who have enjoyed the benefit of the capitulatory régime in the past will fall under the jurisdiction of the Mixed Tribunals, irrespective of changes of sovereignty effected after the war of 1914–18. On the other hand, the Judicial Adviser will be at the disposal of the Egyptian Government in respect of matters relating to the administration of justice in which any foreigner is concerned, and not merely a foreigner who falls within the jurisdiction of the Mixed Tribunals.

The second is the increase in the personnel of the Mixed Courts which will be necessitated by the proposed extension of their jurisdiction, and, as part of this question, the new functions of the procureur général of the Mixed Tribunals, and the staff which will be necessary to enable him to discharge those functions satisfactorily. The Judicial Adviser will, of course, be consulted with regard to the appointment of foreign judges in the Mixed Tribunals and of foreign members of the parquet.

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